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Plainfield, N.J. - Ordinances etc

The Charter and General Ordinances of the City of Plainfield, N. J.

EXCLUSIVE OF THE BUILDING CODE

IN EFFECT JANUARY 1, 1912

PUBLISHED BY AUTHORITY OF
THE COMMON COUNCIL
1912

Plainfield, N.J. -- Ordinances, etc.

Charter of the City of Plainfield, N. J.

With Supplementary Acts

Published by Authority of the
Common Council

1912
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CHARTER OF THE CITY OF PLAINFIELD

Approved April 4, 1872. P. L. 1872, p. 1134

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1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That all the inhabitants residing in the territorial limits of the present city of Plainfield, in the county of Union, be, and are hereby ordained, constituted and declared to be one body politic and corporate, in fact and in name, by the name and style of "Inhabitants of the City of Plainfield."

2. And be it enacted, That hereafter there shall be chosen in said city, from among the citizens thereof, one mayor, one city judge, eleven members of the common council,* one assessor, one collector, one treasurer, two chosen freeholders, two constables,† two justices of the peace,‡ one clerk for each election district, three judges of election for each election district, and three commissioners of appeals.

The annual election in and for said city shall be held on the first Tuesday of December of each and every year, and at such place or places as the common council shall direct or appoint, of which time and place or places the clerk of said city shall cause public notice to be given by advertisement, to be set up in at least five public places in said city, and published in two newspapers, if so many there be printed therein, at least ten days previous to the date of such election.

At the first election of officers, after the passage of this act, which shall be held on the first Tuesday of May next, there shall be elected in said city by the legal voters thereof, from among the citizens of the same, all of the officers of the city government, excepting the mayor, enumerated in this section, and the term of office of each and all of the officers then elected shall expire at noon of the first Monday of January, eighteen hundred and seventy-three, and at the annual election to be held on the first Tuesday of December of each and every year, there shall be elected all of the officers of the city government, excepting the mayor, enumerated in this section, and the officers chosen at such elections shall enter upon and hold office from noon of the first Monday of January following their election

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*Chap. 143, P. L. 1881, p. 175. Chap. 32, P. L. 1883, p. 38.
† Chap. 68, P. L. 1876, p. 82. Chap. 196, P. L. 1880, p. 291.
‡ Art. 6, Sec. 7; Art. 7, Sec. 8, Constitution of N. J. Elected for five years.

NOTE—The general laws of the State, passed since the granting of this charter, have modified its provisions in so many particulars, that it can be safely consulted only in connection with such laws.

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until noon of the first Monday of January of the next succeeding year.

At the annual election to be held on the first Tuesday of December, eighteen hundred and seventy-two, there shall be chosen one mayor, to hold office from the first Tuesday of May, eighteen hundred and seventy-three, until noon of the first Monday of January, eighteen hundred and seventy-five, and after the year eighteen hundrd and seventy-two the mayor shall be elected biennially, and shall serve for two years.

3. And be it enacted, That the poll of each election shall be opened and closed at the time appointed by law and the three judges of election, in each election district, shall be the officers of said election; and in case of the absence, death, disability or refusal to serve of any of said officers of election, on the day of election, the lawful voters present shall elect, viva voce, a person or persons to supply such vacancy or vacancies, that the name of each voter at such election shall be written on the poll list by the clerk, and after the poll shall be closed the said judges of election shall immediately count the votes given for the several candidates and certify the result under their hands and seals, and deliver said certificate to the clerk of said city, who shall file and preserve the same in his office, and the persons having the greatest number of votes shall be deemed to be elected to the offices for which they shall be voted for respectively, and shall hold their offices for the terms specified in this act.

4. And be it enacted, That the mayor shall be the chief executive officer of the city, and shall see that the laws of the state and the ordinances of the city are faithfully observed therein.

He may recommend the common council to pass such measures as he may deem necessary or expedient for the welfare of the city.

He shall maintain peace and good order therein, and in case of a riot or tumultuous assembly, may take command of the police force of the city to suppress it.

In case of persons violating or being suspected by him of violating any criminal laws of this state, or penal ordinance of the city, he shall posssess the same power and authority which justices of the peace possess in criminal cases.

He shall sign all licenses directed to be issued by the common council, and all bonds, obligations or other evidences of indebtedness issued by the city.

5. And be it enacted, That the common council shall have power to appoint from time to time, a city clerk, a street commissioner, an overseer of the poor, and such other subordinate officers as they shall think necessary for the governing of said city; **provided,** that no appointment of officers herein named shall be valid

unless made by a vote of a majority of all the members of said common council; every person who shall be appointed to any office under the provisions of this act, shall be a resident and elector of said city, and may continue in office until removed therefrom by a vote of a majority of all the members of the common council, or until another person is appointed to succeed him.

6. And be it enacted, That all persons residing in said city, entitled to vote by the constitution of this state at elections by the people, shall be entitled to vote at all elections under this act, and the said citizens so entitled to vote shall be capable of holding any office created by this act of incorporation with the exception that no person shall be elected or serve as mayor or common councilman, unless he shall have resided in said city at least one year immediately preceding said election.

7. And be it enacted, That the persons elected for members of the common council, or a majority of them, shall have the power, from time to time, and at all times hereafter, to hold a common council within said city, at such time and place as may be appointed by the ordinances and resolutions of the said common council; to meet upon their own adjournments, and to call special meetings by request of any three members of said council in writing, addressed to the clerk of said council, or by order of the president of said council, and that the whole legislative power of the corporation of said city shall be exclusively vested in the said common council;* **provided,** that no ordinance or by-law shall be at any time enacted or passed, altered or repealed, except by a concurrence of at least six members of said common council, and unless the same shall have been introduced before the said common council at a previous meeting.

8. And be it enacted, That the mayor of said city shall, before he enters upon the duties of his office, take and subscribe before a judge of the court of common pleas of the county of Union, or any officer authorized to administer the same, an oath or affirmation that he will faithfully and justly perform all the duties of said office to the best of his ability; and that the city judge, members of the common council, clerk, assessor, collector, treasurer, street commissioner, judges of election, commissioners of appeal, and all other officers appointed or elected by virtue of this act, shall before they enter upon their respective duties, take and subscribe before the said mayor,† who is hereby authorized to administer the same, the like oaths or affirmations; and it shall be the duty of the said clerk to file and preserve the said oaths and affirmations in his office; and

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* Further powers of Common Council, Secs. 2-3, Supplement to Charter, 1874.

† Or City Judge—Sec. 2 Charter Supplement, 1873.

all such oaths or affirmations shall be taken within five days* after the day of election or appointment.

9. And be it enacted, That in the absence of the mayor, the city judge of said city shall administer such oaths and affirmations of office as the mayor is authorized by this act to administer; and during such absence the other official duties of the mayor shall be discharged by the president of the common council.

10. And be it enacted, That in case of a vacancy happening in any office created and made elective by this act, by death, resignation, removal, or otherwise, except in officers of election, on the day of election, it shall be filled by the said common council within thirty days thereafter, and the said appointment shall continue until the next annual election, and no longer.

11. And be it enacted, That the treasurer and collector of said city, before they enter upon their respective offices, shall each execute a bond to the inhabitants of the city of Plainfield, conditioned for the true and faithful performance of all the duties of their said offices in such sums and with such freehold security as the common council shall approve and direct.

12. And be it enacted, That the clerks of election, judges of election, assessor, collector, and commissioners of appeal, shall respectively possess the power and perform the duties of like officers in any township of this state, so far as shall be consistent with the provisions of this act; and in addition thereto the city clerk shall attend all meetings of the common council of said city, keep accurate minutes of their proceedings, and insert the same in a book to be provided for that purpose, and in like manner record all ordinances passed by the common council, and shall do and perform all such other duties as the said common council may from time to time prescribe, and the power and duties of the treasurer and street commissioner, if not otherwise provided for in this act, shall be those enjoined by the ordinances of the said common council.

13. And be it enacted, That it shall be the duty of the treasurer of the said city to receive and pay out all moneys belonging to the said city, under the direction and by authority of the said common council; to make out annually, on the second Tuesday in December, or oftener, should the said common council so require, and publish in two newspapers printed in said city, if so many there be, a detailed and true statement of all moneys received into the treasury, and of all moneys disbursed therefrom, from the commencement of his official year to the date aforesaid.

14. And be it enacted, That it shall and may be lawful for the

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* Within ten days—Sec. 2 Charter Supplement, 1873.

common council of said city to pass such ordinances or by-laws as to them shall seem meet and necessary:

For regulating, leveling, grading, paving, graveling, cleansing and keeping in repair the streets, roads, highways, alleys and crosswalks in said city; **provided,** that the expense of paving any street, road, highway or alley with stone or wood shall be equitably assessed upon and paid by the owners of property fronting thereon:

For preventing or removing all obstructions, encroachments, encumbrances and nuisances, or any of them, from the streets, roads, highways, sidewalks, alleys, enclosures and lots in said city;

For ascertaining and establishing the grades and boundaries of all streets, alleys and sidewalks in said city:

For causing the territory embraced within the boundaries of said city to be accurately surveyed and mapped for roads, streets and avenues, and

For establishing lamp and police districts within said city, and provide for assessing within each respective district the cost of lighting and maintaining police patrol, either or both, within such districts:

For curbing, grading, paving, flagging, graveling, cementing or planking side-walks in said city:

For preventing or removing all obstructions, impediments, encumbrances or nuisances on any street or street-crossing, caused by any railroad company or its agents:

For preventing persons from riding, driving or passing over or upon the sidewalks, except when necessary to cross the same with horses, wagons, carts, or carriages of any description:

For lighting the streets and alleys in said city:

For preventing or regulating the running at large of horses, cattle, goats, geese, dogs and swine:

For preventing the immoderate riding or driving through or in any street or alley of said city:

For keeping sidewalks and gutters free from snow, ice, and other impediments:

To enact health laws, and establish a board of health:

To provide for the relief of the poor, and for the establishment and maintenance of an alms-house or work-house and a city hospital, and to direct and order what persons shall be placed therein and for what length of time:

For preventing or suppressing any riots, routs, disturbances, breaches of the peace or disorderly assemblage, in any street, alley, house, or place in said city:

For sinking and regulating pumps, wells and cisterns in the streets or enclosures of said city for the extinguishing of fires:

For regulating fire engine, hose and truck companies:

For the prevention and suppression of fires:

For regulating the keeping of gunpowder and other combustible or dangerous materials:

For cleansing of chimneys and regulating the same:

For appointing policemen—regular or special—watchmen, and other subordinate officers, and prescribing their powers, duties and compensation:

For regulating weights and measures:

For establishing and regulating one or more public pounds:

For restraining vagrants, mendicants and street beggars:

For erecting, repairing and regulating a city hall and city jail:

For assessing and collecting taxes:

For regulating and conducting city elections:

For preserving peace and good order:

For preventing or suppressing all gaming and disorderly houses:

For regulating or preventing the carrying on of any trade, business or manufacture likely to promote or cause fires, or otherwise to endanger the health or well-being of the inhabitants of said city:

To regulate and control the manner of erecting dwelling-houses and other buildings, and

To prohibit within certain limits, to be from time to time by it prescribed, the building or erection of any dwelling-house, store, stable, or other building of wood, or other combustible materials:

To prevent the setting up or construction of furnaces, stoves, boilers, ovens or other things, in such a manner as to be dangerous:

For the sewerage or drainage of said city:

For laying down iron, lead, glass, wood or other pipes for the conveyance of water or gas in the streets, highways, alleys, and sidewalks of said city, and for regulating the same:

For the protection and regulation of shade trees:

For the suppression and punishment of vice and immorality:

For licensing taverns and saloons:

And the said common council shall or may enact or pass such and so many other ordinances or by-laws for the peace, good government, order, well-being and convenience of the said city as they may deem necessary, proper and expedient, not repugnant to this act, or to the constitution of this state, or of the United States.*

15. And be it enacted, That the justices of the peace, chosen freeholders, commissioners of appeal, inspectors of elections, assessors, collector, constables, pound keepers and the overseer of the poor shall perform such duties as by the laws of this state now appertain to and devolve upon such officers in the townships of this

* Further powers under Secs. 2, 3, Charter Supplement, 1874, and for laying stone crosswalks, Sec. 58 of this act. See also Secs. 7, 30, 31, 32 and 29.

state, subject to the provisions of this act or any ordinance or ordinances passed by virtue thereof; and the collector of revenue shall pay over all moneys received by him for the city, as soon as collected, to the treasurer of said city, who shall pay over to the treasurer of the state, or to the collector of Union county, the full quota of taxes required by law to be raised in said city for state and county purposes, so far as the same may have been collected.

16. And be it enacted, That the ordinances of the common council of said city shall begin in the following manner, to wit: The inhabitants of the city of Plainfield, by their common council, do enact as follows:

17. And be it enacted, That it shall and may be lawful for the common council of said city to order and cause to be assessed and raised by tax, in any one year, such sum or sums of moneys as may be necessary for the support of the city poor, and such further sum not exceeding ten thousand dollars, as they shall deem expedient for the current expenses of said city, and for all other objects and purposes authorized by this act,* which amounts shall be assessed and collected in the same manner as the assessors and collectors of townships are or may be by law required to assess and collect the state and county tax, which taxes when collected, shall be paid into the hands of the treasurer of said city, and be subject to the order of the said common council.

18. And be it enacted, That the common council may prescribe, by ordinance, fines and penalties for the violation of any of its ordinances; **provided, however,** that the amount of fine shall in no case exceed the sum of one hundred dollars, or the term of imprisonment twenty days,† reserving the right of trial by jury, if demanded by the defendant, in all cases where the punishment prescribed may be imprisonment or the amount of the fine exceeds the sum of twenty dollars.‡

All suits for the enforcement or violation of ordinances shall be brought before the city judge, or in the event of his absence or inability to act, from sickness or otherwise, then the said suits shall be brought before the mayor; and the proceedings before the mayor shall be conducted in the same manner as before the city judge, and the said mayor, for the purposes of such trials, shall possess all the powers vested in the city judge.

The judgments rendered by the city judge or the mayor, when acting in the absence of the said judge, may be executed by any policeman of said city, and in the manner prescribed by the warrant,

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* And additional amount provided for by extra tax, Sec. 26 of this act.
May borrow $5,000 in anticipation of taxes, Sec. 27 of this act.
† Sixty days, &c., Sec. 3, Charter Supplement, 1874.
‡ See Sec. 1, Charter Supplement, 1873.

writ, execution or other process issuing out of the said court, and the said policeman to whom such process shall be delivered, shall execute the same and make return thereof as set forth in such process, and the city judge or the mayor shall have power to commit to the jail of the county of Union, and the jailor of said county shall receive and safely keep all persons who may be committed to the jail of said county by the city judge or mayor, for the term expressed in the warrant of commitment, and all the expenses of keeping such persons shall be borne and paid by the said county of Union.

The process and proceedings requisite for the proper and efficient execution of the provisions of this section shall be those specified in an act entitled "An act constituting courts for the trial of small causes," as far as the same may be applicable, and said act, for such purposes, shall constitute and form a part of this act.

19. And be it enacted, That the city judge shall have all powers* in criminal matters that justices of the peace in and for the several counties of this state now have, and shall have like powers as are given to the mayor, to cause to be arrested, and committed without process, any person guilty, or that he may have reason to believe guilty of any crime, or misdemeanor, or breach of the peace, and to try all causes or complaints arising from the violation of any ordinance of said city.

20. And be it enacted, That the city judge to be elected† as provided for by this act, shall be at the time of his election, a practicing attorney at law, and shall receive as compensation for the performance of his official duties the sum of three hundred dollars per annum.

21. And be it enacted, That the city judge shall have jurisdiction, and is hereby empowered on oath or affirmation made according to law, that any person or persons has or have been guilty of a violation of any of the ordinances of said city, to issue a process, either in the nature of a summons, or of a warrant, as to him may seem most advisable, against the person or persons so violating such ordinance, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons be returnable in not less than three, nor more than six days; that such process shall state what ordinance the defendant or defendants named therein has or have violated, and in what manner the same has been violated, and then on the return of such process, or at the time to which the city judge shall have adjourned the same, the said city judge shall proceed to hear the testimony, and to determine,

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* Further rights and powers, Sec. 8, Charter Supplement, 1873.
† Term of three years, Sec. 8, Charter Supplement, 1873.

and give judgment in the matter, without the filing of any pleadings; and the city judge shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattles, and against the body of the defendant, or defendants.

Provided, that in all cases when the fine or penalty shall exceed twenty dollars, or when the punishment may be imprisonment, there may be a trial by jury, to be conducted as in cases now triable by jury in courts for the trial of small causes, and also an appeal, as in cases where appeal may now be had from judgments in courts for the trial of small causes.

Provided further, that no fine shall be imposed exceeding fifty dollars* for such offence, and no term of imprisonment shall exceed sixty days for each offence.

And also provided, that all cases and matters pending in the city judge's court, at the expiration of his term, or resignation, or death, or inability to serve, shall be continued before his successor, who shall have jurisdiction of the same, as if such city judge were personally present; all books and records of said court shall be the property of the city, and as such shall be preserved and transferred by the city judge to his successor.

22. And be it enacted, That the officers empowered to serve processes issued by the city judge shall be, besides the constables elected or appointed within said city, the policemen of said city, and said processes shall be returned in the same manner so far as circumstances may permit, as warrants for the arrest of persons, issued out of the courts for the trial of small causes are returned, and that the defendant or defendants named therein shall, if the city judge sees fit to adjourn the hearing of the charge made, and so orders, enter into recognizance, as near as may be, in the manner directed in the courts for the trial of small causes, in the amount of penalty named in the process, or in any proceedings to be brought for the recovery of the same, with such surety as may be approved by the city judge, unto the mayor and common council of the city of Plainfield, for his or their appearance on the day to which said hearing may be adjourned, and in default of such appearance, the said recognizance may be prosecuted and collected in the same manner as the same might have been if the said recognizance had been taken in a proceeding in courts for the trial of small causes.

23. And be it enacted, That in all cases in which persons shall bring certioraris to remove the order, proceedings or judgment given or made by the said city judge, it shall be lawful for the said city judge to charge and receive before delivery of the return thereto at the rate of ten cents per folio for the same.

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* One hundred dollars, Sec. 3, Charter Supplement, 1874.

24. And be it enacted, That no justice of the Supreme Court shall grant or allow any certiorari to remove any order, proceedings or judgment to be had or made by the city judge of said city, unless the party applying for such certiorari shall enter into bonds with the mayor and common council of the city of Plainfield in the sum of one hundred and fifty dollars, with one or more good surety or sureties, conditioned that such applicants shall prosecute such certiorari in the Supreme Court, shall pay the penalty recovered before the said city judge, with interest and costs, if the judgment be affirmed, and shall in all things stand by and abide the judgment of the Supreme Court respecting the order, proceeding or judgment given or made by said city judge, which said bond shall be tendered to said justice granting such certiorari, to be by him filed with the clerk of the Supreme Court, for the benefit of said mayor and common council, and on failure thereof no certiorari shall be allowed.

25. And be it enacted, That if any proceedings of the said city judge shall on removal by certiorari, be affirmed by the Supreme Court, the plaintiff in certiorari shall pay to the defendant all costs on such suit in the Supreme Court, but if such proceedings be reversed, then the plaintiff in certiorari shall not be liable to pay any costs; the provisions of this section and of the last preceding section shall extend to the Circuit Court of the county of Union.

26. And be it enacted, That whenever hereafter a greater sum of money than the said sum* of ten thousand dollars shall, in the opinion of the said common council be necessary to be raised in any one year for the use of said city, then in such case the said common council are hereby authorized to give notice to the inhabitants of said city, by advertisements published in two newspapers printed in the said city, if so many there be, at least fifteen entire days before the day of holding any election hereinafter mentioned, and by printed handbills put up in five of the most public places of said city for a like period, that an election will be held at the time and place therein mentioned, the said time and place to be designated by the said common council, to vote such a sum of money to be raised by tax in the said city as the said common council may think necessary to be raised for the uses of the said city, and which sum of money shall be stated in the said notice, at which said election only such persons shall be entitled to vote as may be entitled to vote at any regular annual election of said city, the voting to be by ballot, written or printed, or partly written or partly printed, for or against the sum of money proposed by the said common council in and by their said notice, which said ballot shall contain the word "money," or the words "no money;" the time of opening and closing the poll at

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* See Sec. 17.

such election, and the mode and manner of conducting the same, shall be as is prescribed by this act for annual elections, and every sum of money so voted by any resolution of the said common council to be raised by tax in the said city, and approved of by a majority of the whole number of lawful ballots cast in any such election, shall be assessed, collected and regulated according to the thirty-fifth section of this act, excepting so far as relates to the time of assessing and collecting said taxes, which time shall be fixed by the common council.*

27. And be it enacted, That it shall not be lawful for the said common council to borrow money on the credit and in the name of said city, except when necessary to anticipate the collection of taxes, and then for an amount never to exceed in the aggregate the sum of five thousand dollars, or for a period later than sixty days after the taxes for the current year are finally due; and every such temporary loan or loans shall be fully paid and redeemed out of the taxes so collected.**

28. And be it enacted, That the duly elected members of the common council of said city shall assemble in the council chamber on the Thursday evening† following the annual city election, at the hour of eight o'clock, for the purpose of having the official oath or affirmation administered to them respectively by the mayor or city judge; and should the said common council not then organize, it shall be the duty of the city clerk to call the members elected together for that purpose, within ten days after the date of their election.‡

29. And be it enacted, That every ordinance and supplement to an ordinance passed by the common council of said city shall, before it takes effect and becomes a law, be at once presented to the mayor by the city clerk, with a certification by said clerk, as to the date of such presentation; and if the said mayor approve of it he shall sign it, if not, he shall return it, with his objections, and file it and them with said clerk, within ten days after he received it; and the said common council shall, at its first meeting thereafter, or at the first subsequent meeting, enter the said objections at length upon its journal, and proceed to reconsider such returned ordinance or supplement, and if a majority of all the members of the said council agree to pass the same, it shall take effect and become a law; but, in every such case, the vote shall be taken by ayes and noes, and entered upon the journals; and if such ordinance or supplement shall not be returned within ten days, as aforesaid, it shall take effect and become a law in like manner as if the mayor had signed

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* See Secs. 4 and 6, Charter Supplement, 1874.
**See Secs. 5 and 6, Charter Supplement, 1874.
† Within ten days after election or appointment, Sec. 2 of Charter Supplement, 1873.
‡ See Sec. 3, Charter Supplement, 1873.

it; and each and every ordinance of supplement so passed, as aforesaid, shall be attested by the city clerk and published in two newspapers printed in said city, if so many there be, ten days* before such ordinance or supplement shall go into effect; and similar ten days† public notice shall be sufficient for the intended adoption by the said common council of any ordinance, supplement or regulation.

30. And be it enacted, That the common council of said city, or a majority thereof, shall have the exclusive right and power to regulate and prohibit the sale of spirituous and fermented liquors within said city as they deem most conducive to the public good; no person or persons shall in any manner sell or dispose of spirituous or fermented liquors unless licensed so to do by the common council; the amount of assessment to be paid by the applicant for a license shall be fixed by the said common council, or a majority thereof, at or before the time of granting such license, and all moneys which may be derived from granting such licenses shall be paid to the treasurer for the use of said city.

31. And be it enacted, That the common council of said city shall have the sole exclusive power of licensing all circuses, or other shows and exhibitions whatsoever, proposed to be performed or exhibited within the limits of said city, on such terms and subject to such restrictions as the said common council may prescribe, which said power of licensing the said common council may, by ordinance,‡ delegate to the mayor or city judge of said city; and all moneys which may be derived from granting such licenses shall be paid to the treasurer for the use of said city.

32. And be it enacted, That the common council of said city shall have power by ordinance or resolution, to grant or allow such fees or compensation to the several officers of said city as to the said council shall seem necessary and proper; provided, that the mayor shall not receive for the performance of his official duties a sum exceeding three hundred dollars per annum; and that the members of the common council shall not receive, directly or indirectly, any compensation for the performance of their official duties.

33. And be it enacted, That the place of meeting of the said common council shall be open for the admission of all peaceful and orderly persons who shall be desirous of being present while the said council shall be in session on public business, and the said com-

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* Two insertions in legal newspapers required by Chap. 226, P. L. 1881, p. 295. See also Sec. 7, Charter Supplement, 1873.

† Fourteen days, Sec. 5, Charter Supplement of 1873.

‡ Ordinance relating to Shows and Exhibitions—Approved July 9, 1869; amended November 10, 1884. Also ordinance approved Dec. 8, 1897.

mon council shall have full power to enforce the preservation of order.

34. And be it enacted, That the assessor shall, with strict impartiality, assess taxes upon all persons and property within the said city, and the collector shall collect the same at such time and in such manner as the assessors and collectors of townships are or may be required by law to assess and collect taxes in townships.

Provided, That all lands within the limits of said city, held as farm lands and not for building purposes, shall be valued and taxed as farm lands in the same manner as they heretofore were taxed for township purposes.

And in case of the non-payment of taxes, the said collector shall return on the first day of December annually, the names of all delinquents, with the sum due from them, respectively, and to such city magistrate as the said common council shall by ordinance or resolution direct; and the said magistrate shall thereupon issue his warrant or warrants to the city policemen or any of them, or such other person as the common council shall for that purpose nominate and appoint, requiring him or them to levy the tax so in arrears in the manner prescribed by the laws of the State of New Jersey relative to the collection of taxes in townships.

Provided further, That the said collector shall not be entitled to charge fees on account of any name mentioned in said warrant or warrants, unless the tax due from said delinquent be actually collected, and that all real estate lying within the limits of the city shall be liable to be assessed and taxed for city purposes.

35. And be it enacted, That the commissioners of appeal, in cases of taxation, shall meet annually on the third Tuesday of October, and at such other times as the common council may designate in the event an extra tax is ordered to be raised, as provided for in section twenty-seven, to hear and determine all complaints of unjust taxation; they shall sit from two o'clock P. M. until five o'clock P. M., or longer if found necessary, to dispose of all cases submitted to them for consideration, and shall give public notice of the time and place of such intended meeting in two newspapers printed in said city, if so many there be, at least ten days previous to such assembling.

36. And be it enacted, That the policemen of said city shall have the power to arrest and take into custody, without warrant, any offenders against the by-laws and ordinances of said city, and to confine said offender or offenders in a place provided by the said common council, until a hearing can be had before the mayor or the city judge of said city; **provided,** that such hearing shall be held within twenty-four hours after the arrest of such offender or offenders, unless such arrest is made after two o'clock P. M., on Sat-

urdays, in which case the hearing shall be had before twelve o'clock M., on the following Monday.

37. And be it enacted, That all actions to be brought under and by virtue of this act, may be brought and prosecuted in the name of "The Treasurer of the City of Plainfield," without specifying the individual name of the treasurer of said city for the time being, and the book of records of the ordinances and by-laws of the common council shall be taken and received as evidence of the due passage, by said common council, of all ordinances and by-laws recorded therein, and the publication by the authority of the said common council, of their ordinances and by-laws in a volume or pamphlet, shall in like manner be taken and received as evidence of the due passage thereof, and the publication of the said ordinances and by-laws in the public newspapers shall be presumed to have been made until the contrary be proved.

38. And be it enacted, That upon the trial of any issue, or upon the judicial investigation of any fact to which issue, or investigation "The Inhabitants of the City of Plainfield" are a party, or in which they are interested, no person shall be deemed an incompetent witness or juror by reason of his or her being an inhabitant of said city; and that if any person shall be sued or impleaded by reason of anything done by virtue of this act, it shall be lawful for such person to plead the general issue, and to give this act and the special matter in evidence at the trial.

39. And be it enacted, That it shall be lawful for the said common council, by ordinance, to lay out or open any street, road or highway, in any part of the said city, and to cause any street, road, highway, or alley already laid out in any part of the said city, to be vacated, opened, altered or widened whensoever and so often as they shall judge the public good requires the same to be done.

And the said common council shall give a written or printed notice to the owner or owners of any lands or real estate, with the appurtenances, necessary to be taken for either of said purposes, or to his, her or their legal representatives, of their intention to take such land or other real estate and appurtenances, and appropriate it for such street, road, highway or alley, and shall treat with such person or persons for the same.

And if any such person or persons shall refuse to treat for any such land or other real estate, with the appurtenances, or the said common council cannot agree with such person or persons for the same, then it shall be lawful for the said common council to appoint three judicious and disinterested citizens of said city, as commissioners, to make an estimate and assessment of the damages that any such owner or owners will sustain by opening, laying out, altering or widening, any such street, road, highway, or alley, and in

estimating and assessing such damages the said commissioners shall have due regard as well to the value of the land and other real estate with the appurtenances, as to the injury or benefit of the owner or owners thereof, by laying out, altering or widening any such street, road, highway or alley.

And after making their award of damages, they shall deduct from the same the amount of the estimated benefits, if any, to the owner or owners, or occupiers; and if in any case the commissioners shall estimate the said benefits to be greater than the said damages, they shall so declare it in their report.

Provided, That no street, road, highway or alley in said city shall be laid out, opened or extended against the written remonstrance of those persons owning a majority in interest of the frontage land lying on that portion of the street, road, highway or alley proposed to be laid out or opened.

And provided further, That no street, road, highway or alley that is now or may hereafter be opened shall be altered or widened against the written remonstrance of those persons owning one-half of the frontage land lying on the street, road, highway or alley proposed to be widened or altered, said remonstrance to be presented and filed with the city clerk within twenty days after he shall have published in the city newspapers the intention of the said common council to pass ordinances authorizing such improvements to be made, and the filing of such remonstrance with the city clerk shall be deemed and taken as sufficient evidence of such remonstrance having been made.

40. And be it enacted, That the said commissioners, before they enter upon the execution of the duty required of them shall be sworn or affirmed before the mayor, or any person authorized by law to administer oaths, to make the assessment and estimate submitted to them fairly and impartially, according to the best of their skill and judgment, and the said common council may remove such commissioners and appoint others for any cause that, to said common council, may seem just.

41. And be it enacted, That the said common council shall appoint a time and place within the said city for the said commissioners to meet, notice thereof shall be given by advertising the same in two newspapers printed in the city of Plainfield, if so many there be, two weeks before the time of meeting, which notice shall specify the street, road, highway or alley proposed to be laid out, altered or widened, the alterations proposed to be made, and the lands or real estate, with the appurtenances, intended to be taken for such purposes, and

The said commissioners, or a majority of them when met, shall have power to swear and examine witnesses, and shall view the

premises, if necessary, and make just and true estimates and assessments, and report their proceedings to the common council, sufficiently in detail to enable the common council to determine the principle upon which such estimates and assessments were made.

Such report shall be filed with the city clerk, and be open to the inspection of the public for ten days, previous to its presentation to the common council, and notice of such filing shall be published in each of the city newspapers ten days previous to such presentation.

Parties interested may file with the city clerk written objections to said report, stating the nature and extent of their interest and the grounds of their objections to it.

All such objections shall be filed within ten days after the first publication of the notice of the filing of the report.

The said commissioners shall have full power to reconsider and change their report if objected to, or if they refuse so to do either in whole or in part, they shall deliver such objections with their report to the common council, and the common council may ratify the action and report of the commissioners, or alter said report, in respect to the matter specified in the objections, or the said common council may recommit the report to the commissioners for further consideration in respect to such matters, or any other matter connected therewith; and in the event of a recommitment, the said commissioners shall, as far as may be necessary, comply with all the requirements of this section.

When the common council shall have taken final action upon said report, it shall be binding and conclusive upon the owner or owners of any such lands or real estate, with appurtenances, subject only to the appeal hereinafter given; and upon payment of the damages so awarded, or upon a tender and a refusal thereof, it shall be lawful for the common council to cause the said land or real estate, with the appurtenances, to be converted and used for the purposes aforesaid.

Provided, however, that any person or persons, conceiving himself, herself, or themselves aggrieved by the proceedings of said common council, may appal therefrom to the Circuit Court of the county of Union, within sixty days from the time of making the final order of the common council, and the said Circuit Court shall order a trial by jury to assess the damages sustained by the party aggrieved, the trial whereof shall be conducted as in other cases of trial by jury.

Provided, that any person intending to appeal as aforesaid shall notify the city clerk of such intended appeal, within ten days after the ratification by the common council of the report from which such appeal is intended.

42. And be it enacted, That in case of non-payment within

sixty days after the estimates and assessments shall have been ratified by the common council of any damages estimated and assessed, as aforesaid, with interest from the date of the assessment, and in case of no appeal to the said Circuit Court, as aforesaid, the person or persons entitled thereto may sue for and recover the same from the said city, in an action of debt, with costs, in any court having cognizance thereof, and the said proceedings of the said commissioners and common council, or the award of the said jury, as the case may be, shall be conclusive evidence against the defendants.

43. And be it enacted, That in order to provide for the payment of the damages assessed as aforesaid, for the laying out and opening any street, road or highway in the said city, or for the altering or widening of any street, road, highway or alley already laid out in the said city, and of all other necessary expenses incident to such laying out, altering or widening, the said common council shall ascertain the whole amount of such damages and expenses, and shall cause to be made a just and equitable assessment thereof among the owners and occupants of all the lands, tenements and real estate benefitted thereby, in proportion, as nearly as may be, to the advantages each shall be deemed to acquire, and the common council shall appoint three judicious and disinterested citizens of said city to make every such assessment, who, before they enter upon the execution of their trusts, shall be sworn or affirmed before any person residing in said city authorized by law to administer oaths, to make said assessments fairly, according to the best of their skill and judgment; and

A report in writing of such assessment, signed by a majority of such persons, being returned to the common council, and ratified by them, shall be binding and conclusive upon the owners and occupants of such lands, tenements and real estate to be assessed respectively;* and

Such owners or occupants shall also respectively, on demand, pay to such persons as shall be authorized by the said common council to receive the same, the sums at which such lands, tenements and real estate shall be assessed, to be applied to the payment of the damages and expenses of laying out, altering or widening the said street, road, highway or alley as aforesaid; and

On default of such payment, or any part thereof, it shall be lawful for the mayor† of said city, by direction of the common council, to issue a warrant under the common seal, to levy the same by distress and sale of the goods and chattles of such owner and occupant refusing or neglecting to pay the same, rendering the over-

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* See Sec. 11, Charter Supplement, 1874.

† City Judge may issue warrant.—Sec. 6, Charter Supplement of 1873.

plus, if any, after deducting the charges of such distress, to such owner or occupant, or his or her legal representatives.

Provided, always, that nothing in this section contained shall affect any agreement between landlord and tenant respecting the payment of any such charges, but they shall be answerable to each other in the same manner as if this supplement had not passed.

And further, if any such assessment or any part thereof, shall be paid to any person, when by agreement or by law the same ought to have been borne or paid by some other person, then it shall be lawful for the person paying the same to sue for and recover the same, with interest and costs of suit before any court having cognizance thereof, as so much money paid for the use of the person who ought to have paid the same; and the assessment aforesaid and proof of payment shall be conclusive evidence in said suit; and

In all cases where there is no argreement to the contrary, the owner or landlord, and not the occupant or tenant, shall be deemed the person who ought in law to bear and pay every such assessment.

All the provisions of section forty-one relating to the form of the report and filing of the same with the city clerk, and giving notice thereof, and the subsequent proceedings thereon, as far as the same may be applicable, shall be regarded as appertaining to this section.

44. And be it enacted, That in case any assessment made as aforesaid shall not have been complied with, by the payment of the sums thereby assessed, it shall be lawful for the common council to cause the same to be advertised in one or more public newspapers printed in said city for at least one month, requiring the owner or occupants of such lands, tenements and real estate respectively, to pay the sums at which the same shall have been assessed, to the treasurer of said city; and

In default of such payment, such lands, tenements and real estate will be sold at public auction, to satisfy such assessment, and the interest, costs, charges and expenses thereof; and

If, notwithstanding such notice, the said owners or occupants shall refuse or neglect to pay such assessment, and the expenses of such advertisement, then it shall and may be lawful for the said common council to cause to be collected the amounts of said assessments, for the benefits so made, as aforesaid, upon any lands or real estate, with the interest, costs, charges and expenses by a sale of said lands and real estate, as hereinafter provided; and to cause public notice thereof to be given for the space of four weeks, by setting up advertisements of such sale in five public places in said city, and publishing the same in one or more public newspapers printed and published in said city, for the term above mentioned,

being the four weeks next preceding such sale, which notices shall be signed by the city clerk, and shall contain a brief description of the premises to be sold, and for what purpose, and the amount of said assessment against the same, with the costs, charges, and expenses, and the day, hour, and place of such sale; and

It shall be lawful to sell said land and premises at public auction for the shortest term, not exceeding one hundred years, for which any person or persons will agree to take the same and pay such assessment, interest, costs, charges and expenses, and to cause to be executed under the common seal of said city a certificate of said sale, and deliver the same to the purchaser or purchasers thereof, within ten days after such sale.

Provided, That it shall not be lawful to sell the same until six months* after the completion and return of said assessment, nor until the owner or owners of said real estate be personally notified to pay said assessment, if non-resident, and their place of residence may be found with reasonable diligence.

45. And be it enacted, That the owner, mortgagee, occupant, or any person or persons having a legal or equitable interest in any lands or real estate sold for assessments, as aforesaid, may redeem the same at any time within two years from the time of such sale, by paying to the city treasurer, for the use of the purchaser, his heirs or assigns, the said purchase money together with any other assessment properly chargeable thereon, and which the purchaser may have paid, with the interest on said purchase money at the rate of twelve per centum per annum from the time of such sale, or from the time of such payments; and the certificate of said treasurer, stating the payment and showing what property such payment is intended to redeem, shall be evidence of such redemption, which sum of money, so paid, the said treasurer shall cause to be refunded to the purchaser, his heirs and assigns.

46. And be it enacted, That if any lands or real estate so sold shall not be redeemed as by this act provided, the common council shall execute to the purchaser, his legal representative or assigns, a declaration of sale under their common seal, signed by the mayor, attested by the city clerk, containing a description of the premises, the fact of assessment, advertisement and sale, the date of the sale, and the period for which the premises were sold, which declaration shall be recorded in the office of the city clerk, and until the same shall have been recorded, such lands and real estate may be redeemed as hereinbefore provided, notwithstanding the period of two years may have expired from the time of said sale; and

Such declaration of sale shall be presumptive evidence that such

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* Sixty days—Sec. 9, Charter Supplement of 1874.

sale and proceedings were regularly made according to the provisions of this act, and such purchaser or purchasers, and his and their legal representatives, shall by virtue thereof lawfully hold and enjoy such lands and real estate, with the rents, issues and profits thereof, for his and their own proper use against the owner or owners thereof, and all persons claiming under him or them, until the term shall be completed and ended for which the purchaser or purchasers may have agreed to take the same; and at the expiration of said term shall peaceably and quietly yield up such lands and real estate to the lawful owner or owners thereof, and shall be liable for any injury or waste by him or them done or committed therein, in the same manner as the tenant for a term of years.

Provided, That whenever satisfactory evidence shall be produced to the common council that any lands so sold belong to an idiot, lunatic or infant, for whose estate no guardian shall have been appointed, the said common council shall direct the mayor and city clerk to postpone the execution of a declaration of sale of such lands until at least four months after they shall have evidence that such disability has been removed, or guardian or trustee to their estate appointed, and until the expiration of said four months, such guardian or trustee or person whose disability has been removed may redeem such lands as hereinbefore provided.

47. And be it enacted, That it shall be the duty of the city clerk to record in proper books kept for that purpose all certificates of sale and assignment thereof, to give certificates of search in relation thereto, to any person applying for the same, and to cancel such certificates of sales and assignments thereof, so recorded, when the land and real estate for which they were given shall be redeemed on certificate of the city treasurer of such redemption, and to file such certificate in his office; it shall be the duty of the city treasurer to make out two receipts for all property redeemed, one for the person redeeming, and one to be filed in the office of the city clerk.

48. And be it enacted, That the amount of any assessment shall be and remain a lien on the lot or lots assessed from the time of the completion and return of such assessment in manner aforesaid, until the same shall be paid and satisfied, and that it shall be lawful for the said common council, instead of the remedies hereinabove provided, if they shall see fit, in case of a refusal or neglect to pay an assessment made as aforesaid, to sue for and recover the amount of such assessment from the person or persons who, under the provisions of this supplement ought to pay for the same, or his, her or their legal representatives, with interest and costs of suit, in any court of this State having cognizance thereof, in an action on the case for so much money by them paid, laid out and expended for

such person or persons, his, her or their legal representatives; and the said assessment shall be conclusive for the plaintiff in every such action.

49. And be it enacted, That no street, road, highway or alley hereafter to be laid out or opened in said city shall be recognized, considered or treated as a public street or highway, road or alley, unless the same be laid out and opened under the direction of the said common council in manner aforesaid.

50. And be it enacted, That in case any owner or owners of any land or real estate necessary to be taken for the laying out, opening, altering or widening any street, road, highway or alley in the said city shall be non compos mentis, or out of the State, or cannot be found on reasonable inquiry, and no agent or legal representative of such owner can, on like inquiry, be found in this State, then it shall be lawful for the common council of said city to proceed to the appointment of the commissioners mentioned and provided for in the fortieth section of this act, after publishing in a newspaper printed in said city, for the space of two weeks, at least once in each week, a notice of the intention of said common council to take such land or real estate and appropriate it for such street, road, highway or alley.

51. And be it enacted, That in case the common council and the owner of any such land or real estate shall agree upon the sum to be paid therefor, such sum shall constitute a part of the whole amount of damages and expenses to be assessed under and in pursuance of the provisions named in section forty-four of this act.

52. And be it enacted, That in case the owner or owners of any lands, tenements or real estate mentioned in the forty-fourth section of this act, be under age, non compos mentis, out of the State, or cannot be ascertained on reasonable inquiry made under the direction of the common council, and the assessment made on such lands, tenements or real estate in pursuance of the provisions of said forty-fourth section, remain unpaid for the space of thirty days after the same shall be made, it shall be lawful for the common council, without demand from such owner or owners, to proceed to the advertisement first mentioned in the forty-fifth section of this act, and the sale provided for in said section in the manner in said section pointed out.

53. And be it enacted, That it shall be no valid objection against laying out or opening any highway, street or road in said city, that the ending point of the same is not in a public highway; **provided,** the same be laid out or opened in conformity with the provisions of this supplement.

54. And be it enacted, That it shall and may be lawful for the

common council of said city to make and establish ordinances and regulations for the paving or macadamizing of any street or section of a street and for curbing, grading, paving, flagging, graveling, cementing or planking of any sidewalks, in any street or section of a street in said city, by the owners or occupants of lands, tenements or real estate fronting on or adjoining such street or section of a street, and to appoint one or more discreet and skilful person or persons to superintend the said work and prescribe the manner in which the same shall be performed, and to enforce such ordinances and regulations by enacting penalties for non-compliance therewith.

Provided, That before any such ordinance or regulation shall be adopted by the said common council, notice of such intended action shall be published by the city clerk in two newspapers printed in said city, if so many there be, for the period of at least fourteen days.*

55. And be it enacted, That if the owner or owners of any lands, tenements or real estate, in front whereof the street shall, by such ordinance or regulation be directed to be paved or macadized, or the sidewalk curbed, graded, paved, flagged, graveled, cemented or planked, shall neglect to comply with such ordinance or regulation, it shall be lawful for the said common council to cause such improvement to be made at the expense of the city on account of the owners of such real estate, and the amount paid by the city for such work shall be a lien on such real estate from the time of its completion, and shall bear interest at the rate of twelve per centum per annum from the date of payment by the city.

Such amount paid or agreed to be paid for such work shall be regarded as an assessment, and the said common council shall cause an advertisement to be inserted in two newspapers printed in said city, if so many there be, for three weeks at least, stating the amount of such assessment and requiring the owner or owners of such lands, tenements or real estate to pay the same to the treasurer of said city, appointing a day and place when and where such lands, tenements, or real estate will be sold at public auction, if default shall be made in such payment, for the lowest term of years at which any person shall offer to take the same, in consideration of advancing the sum assessed, as aforesaid; and

If notwithstanding such notice and demand, the owner or owners of such lands, tenements or real estate shall neglect to pay such assessment, with costs and charges thereof, and of the said advertisement or advertisements, it shall be lawful for the said common council to cause such lands, tenements or real estate to be sold at public auction for a term at the time, for the purposes and in the

* See Sec. 8, Charter Supplement, 1874.

manner expressed in said advertisement, and to give a declaration of such sale to the purchaser thereof, under the common seal of said city; and

Such purchaser, his or her executors, administrators or assigns, shall by virtue thereof, and of this act, from and after the expiration of the term hereinafter named for redemption lawfully hold and enjoy the same for his, her and their own proper use against the owner or owners and all claiming under him, her or them, until his, her or their term therein shall be fully completed and ended, and be at liberty to remove all the buildings and materials which he, she or they shall erect or place thereon; but he, she or they shall leave such lands, tenements or real estate, at the expiration of the term, in sufficient fence, and the sidewalk in front thereof in the order required by such ordinance or regulation.

Provided, That if, after defraying the actual expense of paving or macadamizing the street, or of curbing, grading, paving, flagging, graveling, cementing or planking the sidewalk in front of any lands, tenements or real estate so sold, as aforesaid, in the manner directed by such ordinance, or regulation, and deducting all reasonable charges attending the sale, a surplus of the purchase money shall remain in the hands of the treasurer of said city, the same shall forthwith be paid to the owner or owners of such lands, tenements or real estate, or his, her or their legal representatives.

And provided further, That the lands, tenements or real estate so sold may be redeemed by the owner, mortgagee, occupant or person interested therein, or by any other person for and in behalf of the owner, mortgagee or claimant of such lands, tenements or real estate, at any time within two years after the sale for assessments, by paying to the treasurer of said city, for the use of the said purchaser, the purchase money, together with any other sum paid for taxes or assessments which the said purchaser may have paid, chargeable on such lands, tenements or real estate, and which he is hereby authorized to do, with interest thereon at the rate of fifteen per centum per annum in addition thereto; and the certificate of the treasurer of said city stating the payment, showing what lands, tenements or real estate such payment is intended to redeem, shall be evidence of such redemption.

56. And be it enacted, That the amount of the assessment or estimate to be made, as aforesaid, on any lands, tenements or real estate in said city, shall be and remain a lien thereon from the time of the completion and return of such assessment or estimate, in manner aforesaid, until paid or otherwise satisfied; and

That it shall be lawful for the common council of said city, instead of the remedy hereinafter stated, if they shall see fit, in case the owner or occupant of any lands, tenements or real estate within

the city shall neglect to comply with such ordinance or regulation in respect to the street or the sidewalk in front thereof, to sue for and recover, in the name of the treasurer of said city, the amount of such assessment or estimate and costs thereof from the owner or owners or such lands, tenements or real estate, or his, her or their legal representatives, with interest and costs, before the mayor or city judge of said city, or in any court having cognizance thereof, in an action on the case for so much money by them paid, laid out and expended, to and for the use of such owner or owners, or his, her or their legal representatives; and in every such action the said assessment or estimate, with the proof of the amount paid, shall be conclusive evidence for the plaintiff.

57. And be it enacted, That if the tenant or tenants of any lands, tenements or real estate within said city shall cause the street in front thereof to be paved or macadamized, or the sidewalk to be curbed, graded, paved, flagged, graveled, cemented or planked in obedience to such ordinance or regulation, at his, her or their own expense, it shall be lawful for him, her or them to deduct the same out of the rent, or recover the same from the landlord or owner or owners, or his, her or their legal representatives, with interest and costs, in an action on the case, before the mayor or the city judge of said city, or in any court having cognizance thereof, for so much money by him, her or them paid, laid out and expended to and for his, her or their use; **provided,** that nothing in this act shall affect any contract or agreement made or to be made between landlord and tenant respecting such charges or expenses.

58. And be it enacted, That it shall and may be lawful for the common council of said city to cause stone walks to be laid across any street at the general expense of said city.

59. And be it enacted, That it shall and may be lawful for the common council of said city to specifically define by ordinance the manner in which all assessments shall be levied and collected, and to make such regulations as may be necessary to carry into effect the true intent and meaning of this act; that any assessment by virtue of the provisions of this act, or of the act and supplement thereto, to which this is a supplement, shall bear interest at the rate of twelve per centum per annum, from the day the same is ratified by the city council, and not before, and shall continue and remain a lien upon the lands and real estate so assessed until the said assessment, with the interest and expenses accruing thereon, shall be paid or the amount therof discharged by the sale of the said lands or real estate by the city.

60. And be it enacted, That all expenses for improvements in paving or macadamizing any street or portion of a street shall be assessed upon and paid by the lands and real estate fronting on such

street or portion of a street; all expenses for grading, curbing, flagging, planking or cementing sidewalks shall be paid by the owners of the real estate in front of which such sidewalks are thus improved; all expenses for the construction of sewer or under-drains shall be assessed upon all the lands and real estate lying within the district drained by such sewer or under-drains in proportion to the benefit received; all expenses for improvements in opening, altering, widening and grading streets, and for grading sidewalks, where such grading is included in a contract for grading the streets, adjoining such sidewalks, shall be assessed upon and paid by the lands and real estate benefited by the same in proportion to the benefit received.

61. And be it enacted, That the common council of said city may make and establish ordinances providing for the assessment of the cost of grading and paving any street intersections, upon the owners of lands and real estate, to the center of the block each way from the intersection thus improved.

62. And be it enacted, That whenever any street, or part of any street in the said city, occupied or used by the track of any railroad company, shall require to be altered or widened for the convenience of public travel, or graded, paved or macadamized, and proceedings for altering or widening, or grading, paving or macadamizing the same shall have been taken under the provisions of this act, it shall be lawful for the commissioners appointed by the city council, and whose duty it shall be to make a just and equitable assessment of the whole amount of the costs, damages and expenses of such altering or widening, and the costs, and expenses of such grading, paving or macadamizing among the owners of all the lands and real estate benefitted thereby, to assess such portion of said costs, damages and expenses upon the corporation or company owning or using said railroad track as shall to them seem equitable and just, and such assessment shall be lien upon any property of said corporation or company in the city of Plainfield, and may also be enforced in the same manner as the assessment upon such owners of land and real estate benefited thereby.

63. And be it enacted, That whenever any ordinance shall be passed by the common council for making any improvements or performing any work in relation to the opening, altering or widening of any street, the construction of any sewer or drain, the widening, leveling, grading, curbing, guttering, paving, flagging, graveling or planking any street or sidewalk, all further action which may be necessary to carry out and complete such improvement or work, and all orders relating thereto, may be done by resolution and not by ordinance.

64. And be it enacted, That no street, road, highway or alley,

or any portion thereof within said city shall be paved or macadamized by any process or with any material, whether patented or not, against the written remonstrance of a majority of all the frontage ownership of land lying on said street, or portion of a street, road, highway or alley proposed to be thus improved, and that whenever the common council of said city shall determine to cause any street, or section of any street, road, highway or alley to be paved or macadamized, then a majority in interest, as specified in this section, may agree with the contractor or contractors for doing the work as to the price to be paid for the proposed improvement, and such stipulated amount as agreed upon shall be the price paid for the work when completed.

Provided, however, the agreement as to the price to be paid between the property owners and the contractor or contractors shall be made within the time fixed in the ordinance adopted by the common council providing for the contemplated improvement, and if for any reason the property owners fail to agree with the contractor or contractors within the time specified in the ordinance, as aforesaid, then it shall be lawful for the common council to make the contract with the contractor or contractors, and order the work done.

65. And be it enacted, That whenever the common council of said city shall determine to cause any street improvement to be made which shall contemplate the use of any patented process or materials, and the owners of one-half of the property in running feet along the line of the intended improvement shall remonstrate, in writing, against the use of any specified patent, in making such improvement, or petition for the use of any specified patent, the said common council shall cause the said work to be done in accordance with the request of such proportions of owners.

66. And be it enacted, That this act shall be taken and deemed to be a public act, and may at any time be amended, altered or appealed by the legislature of this state; **provided,** that all amendments or alterations relating to the raising of money by loan or taxation shall before taking effect, be submitted to the electors of said city, and be approved by a majority thereof, voting by ballot, at an election held in conformity with the requirements of this act relating to annual elections.

67. And be it enacted, That all laws and parts of laws inconsistent with the provisions of this act be and the same are hereby repealed; but this repeal shall not affect any proceeding had or commenced under the same when this act takes effect, nor any rights or dues which the City of Plainfield or any person or persons were entitled to by virtue thereof.

68. And be it enacted, That this act shall take effect immediately.

CHARTER SUPPLEMENT

Approved April 1, 1873. P. L. 1873. P. 482.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That for the violation of any of the ordinances of said city there may be imposed a fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or either fine or imprisonment, as the court having jurisdiction may decide and whenever an imposed fine is twenty dollars or under there shall not be granted a trial by jury.*

2. And be it enacted, That official oaths or affirmations under the charter to which this is a supplement, may be administered by either the mayor or city judge, and all such oaths or affirmations shall be taken within ten days after the day of election or appointment.

3. And be it enacted, That the duly elected members of the common council of said city shall meet in the council chamber on the first Monday in January, at the hour of eight o'clock p. m., for the purpose of organizing for the transaction of business, and should the said common council not then organize, it shall be the duty of the city clerk to call the members together for that purpose within ten days thereafter.

4. And be it enacted, That the city assessor shall with strict impartiality assess taxes upon all persons and property within the said city, between the first day of May and the first day of July, annually, and the city collector shall collect the same between the first day of July and the first day of September, annually, and shall on the first Monday in September, annually, return to the city judge the names of all delinquents with the sums due from them respectively; and the time for the commissioners of appeal in cases of taxation to meet shall be on the fourth Tuesday in July, annually.

5. And be it enacted, That fourteen days from the date of first publication shall be sufficient public notice of the intended adoption by the common council of any ordinance, supplement or regulations.

6. And be it enacted, That in addition to the mayor of said city it shall be lawful for the city judge by direction of the common council, to issue a warrant as section forty-three of the act to which this is a supplement provides.

7. And be it enacted, That each and every ordinance or supplement when approved by the mayor or finally adopted by the common council, shall be of legal effect ten days after the date of one publication thereof in each of the official newspapers printed in said city.

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*See Sec. 3, Charter Supplement, 1874.

8. And be it enacted, That the city judge shall have all the rights, powers and jurisdiction that justices of the peace have for the trial of civil actions before them; he shall be elected to serve for three years; his court shall be a court of record, the proceedings in which shall be the same as in courts for the trial of small causes and subject to the same laws as far as applicable; judgments rendered in said court may be appealed from in all cases in which appeals are allowed in courts for the trial of small causes in the same manner, and the common council shall provide a suitable and convenient place where the court of the city judge may be held.*

9. And be it enacted, That the common council of said city may provide by a general ordinance that if any party be convicted of violating any of its ordinances, and shall fail or neglect to pay the fine prescribed for such violation and the costs of suit within two days after conviction, the city judge may in his discretion cause such party to be committed to the county jail until such fine and the costs are paid or for any period not exceeding ten days,† but this contingency alone shall not entitle any party to a jury trial.

10. And be it enacted, That no writ of certiorari shall be granted unless the party applying therefor shall present to the circuit judge and file with the clerk of the court, before the issuing of the writ, a statement under oath, of the reasons on which the application for the writ is based, and the argument on the writ shall be had only on such reasons and at the same term of court to which it is made returnable, unless the court or judge granting such writ shall allow further time.

11. And be it enacted, That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby repealed.

12. And be it enacted, That this act shall be deemed and taken to be a public act and shall take effect immediately.

CHARTER SUPPLEMENT

Approved March 18, 1874—P. L. 1874, p. 302.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the mayor shall nominate and, by and with the advice and consent of the common council, appoint all officers of the city not required to be elected, except city clerk and janitor of the council chamber, and that no evidence of indebtedness against the city shall be valid unless signed by him.

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* See Sec. 7, Charter Supplement, 1874.

† Sixty days' imprisonment—Sec. 3, Charter Supplement, 1874.

2. And be it enacted, That the common council shall have full power to pass ordinances:

To prevent and punish injuries to public lamps:

To abate or remove nuisances of every kind, and to compel the owner or occupants of any lot, house, building, shed or place, wherein may be carried on any business or calling, or in or upon which there may exist any matter or thing which is or may be detrimental to the health of the inhabitants, to cleanse, remove or abate the same, from time to time, as often as they may deem necessary at the expense of the owner or occupants thereof:

To offer and pay rewards for the apprehension and conviction of persons engaged in the commission of crime, or in violation of any of the city ordinances.

Every conviction had before the city judge, either with or without a jury trial, shall be reviewed by writ of certiorari and not otherwise; such writ to be allowed, heard and determined by the presiding judge of the circuit court of Union county.

3. And be it enacted, That the common council may prescribe by ordinance what shall be the extreme penalty for each violation of any of its ordinance what shall be the extreme penalty for each violation of any of its ordinances; such penalty shall not exceed one hundred dollars fine, or sixty days' imprisonment, or both, and the court having jurisdiction of suits brought for the enforcement of said ordinances may, in its discretion, impose the same or any less penalty than that prescribed by said common council; and if the fine imposed be not paid, the party convicted of any such violation may be committed by the judge of said court, in his discretion, to the city or county jail, or such other place as the common council may provide, for any period not exceeding twenty days; no judgment for the violation of any ordinance shall be reversed for any imperfection, omission, defect in or lack of form, nor for any error except such as shall or may have prejudiced the defendant in maintaining his defence upon the merits.

4. And be it enacted, That it shall and may be lawful for the common council of said city to order and cause to be assessed and collected by tax in any one year, for the current expenses of said city and all other objects and purposes authorized by the act to which this is a supplement not otherwise and specially provided for, such sum of money as a percentage of forty cents on each hundred dollars of assessed valuation upon all persons and property within said city will produce, which sum of money shall be in lieu of all other taxation authorized or contemplated by the act to which this is a supplement, and shall be assessed upon the same basis of valuation and collected in the same manner as the assessors and collec-

tors of townships are or may be by law required to assess and collect the state and county taxes, and which money, when collected, shall be paid into the hands of the treasurer of said city and be held by him subject to the order of said common council, and in no event shall the percentage of taxation herein named be increased, but the same may be reduced at the pleasure of the said common council.

5. And be it enacted, That it shall be lawful for the common council of said city to authorize and direct the mayor and city treasurer to borrow on the credit and in the name of said city, in anticipation of the collection of taxes in any one year the sum of seven thousand dollars five hundred dollars, and every such temporary loan shall be fully paid and redeemed out of the moneys first received from the year's tax collection so anticipated.

6. And be it enacted, That sections seventeen, twenty-six and twenty-seven of the act to which this is a supplement be and the same are hereby repealed; **provided, sections four and five of this are ratified by a popular vote,** and all other parts of said act and supplements thereto inconsistent with the provisions of this act, be and the same are hereby repealed.

7. And be it enacted, That the name of the court in which the City Judge shall hear causes, shall be called the City Court of Plainfield; in proceedings for the enforcement of city ordinances; he shall have the same powers as in the trial of civil actions; the impression of a seal, the device of which shall be prescribed by the common council,* upon any process or paper signed by him shall be sufficient for all purposes, at the time specified in any process returnable before him or to which any matter was adjourned he may proceed to hear and dispose thereof; whenever it shall be necessary to give evidence of a judgment or other proceedings before him the entry of such judgment or other proceeding on his docket or a transcript thereof, certified by him under his hand and seal, shall be sufficient evidence thereof.

8. And be it enacted, That wherever, in sections fourteen, fifty-four, fifty-five, fifty-seven, sixty and sixty-two, of the act to which this is a supplement, the words "paving or macadamizing" or the words "paved or macadamized" are used the same shall read "paving, graveling or macadamizing," or "paved, graveled or macadamized," as the case may be.

9. And be it enacted, That where the words "six months" occur in the last paragraph of section forty-four of the act to which this is a supplement, the same shall be altered so as to read "sixty days."

10. And be it enacted, That the last paragraph of section forty-three of the act entitled "An act to amend the Charter of the City of

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* Device adopted April 13, 1874.

Plainfield," approved April fourth, one thousand eight hundred and seventy-two, is hereby amended by substituting the words "forty-one" for the words "forty-two."

11. And be it enacted, That hereafter the Commissioners appointed to estimate and assess the damages that any owner or owners of lands or real estate, with the appurtenances will sustain, by opening and laying out, altering or widening any street, road, highway or alley in the city of Plainfield, shall also ascertain all other necessary expenses, incident to such laying out, opening, altering or widening, and shall also discharge and perform all other duties now required to be performed by the commissioners provided for by section forty-three of the act to which this is a supplement.

12. And be it enacted, That this act shall be deemed and taken to be a public act, and shall take effect immediately, except so much thereof as relates to the raising of money by taxation and loans, which portion shall become of effect when ratified by a majority of the ballots cast by the legally qualified voters of said city, at an election to be regularly called and held by direction of said common council.

13. And be it enacted, That all laws and parts of laws inconsistent with the provisions of this act be and the same are hereby repealed.

AN ACT

FOR THE RELIEF OF THE CITY OF PLAINFIELD.

Approved March 19, 1874. P. L. 1874, p. 330.

Supplement to an Act to Amend the Charter of the City of Plainfield, approved April Fourth, One Thousand Eight Hundred and Seventy-two. Approved March 18, 1874.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever by reason of any informality or illegality in any proceedings of the common council of the city of Plainfield, or of the commissioners of assessments, surveyors, or other agent of the common council or officers of the city, in laying out, opening, altering, widening, or closing streets, avenues, or public squares, or in grading, altering the grade, paving, curbing, guttering and flagging the sidewalks of any street or avenue, or constructing any sewer or drain, any assessments shall be set aside by judicial authority, it shall be lawful for the common council to reinstitute the proceedings set aside upon the same basis upon which the original proceedings were based, or otherwise if they shall see fit so to do and lawfully proceed therein the same as though the former proceedings had not been had, or the said common council may reinstitute said proceedings from the point where such informality or illegality may have been so decreed, and whenever the common council shall discover that any such proceedings are liable to be set aside by judicial authority they may reinstitute said proceedings from the point where such informality or illegality commences and no assessment shall be deemed invalid in consequence thereof, but no writ of certiorari shall be allowed or issue to remove and assessment made upon the owner or owners of land and real estate for any work or improvement made or to be made, unless the same be applied for within six months after the confirmation of such assessment by the common council of said city, and this section shall apply as well to all proceedings heretofore set aside by judicial authority by reason of any informality or illegality as to those which may hereafter be so set aside.

2. And be it enacted, That this act shall take effect immediately.

Approved March 19, 1874.

AN ACT

IN RELATION TO THE EXTENSION OF THE BOUNDARIES OF THE CITY OF PLAINFIELD.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the limits of the City of Plainfield shall be and the same are hereby extended on the northeasterly line by continuing the said line in the center of the Terrell road in a southeasterly direction to the center of the road intersecting the same at the Jackson school-house; thence along the center of said last mentioned road in a southwesterly direction to the road known as the extension of Leland avenue; thence in a southerly course to the intersection of the Randolph road with the Short Hill road; and also to extend the southwesterly boundary of said city so as to include within the city limits all that portion of the township of Plainfield lying between the present southwesterly boundary of said city and the counties of Somerset and Middlesex.

2. And be it enacted, That the township of Plainfield is hereby abolished; that the assessor and collector of said township elected or appointed shall remain in and perform the duties of their respective offices for the term for which they were elected or appointed, after which the assessor and collector of said city shall have the same powers and perform the duties as the assessor and collector of said township are now required to perform.

3. And be it enacted, That this act shall take effect immediately.

Approved March 6, 1878.

GENERAL ORDINANCES *of the* CITY *of* PLAINFIELD, N. J.

EXCLUSIVE of the BUILDING CODE

IN EFFECT JANUARY 1, 1912

PUBLISHED *by* AUTHORITY *of the* COMMON COUNCIL

GENERAL ORDINANCES

OF THE

CITY OF PLAINFIELD

IN EFFECT JANUARY 1ST, 1912.

An Ordinance Dividing the City of Plainfield into Wards.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the City of Plainfield is hereby divided into four wards.

Sec. 2. That the first ward shall comprise all the territory, and its inhabitants, in the City of Plainfield lying northwest of the center line of the right of way of the Central Railroad of New Jersey, and northeast of a line running from the intersection of the center line of Cherry street, or Park avenue, with the Central Railroad of New Jersey to the central line of Front street, and thence along the center line of Front street to its intersection with the center line of Somerset street, and thence along the center line of Somerset street to the boundary line of the city in the middle of Green Brook.

Sec. 3. That the second ward shall comprise all the territory, and its inhabitants, in the City of Plainfield lying southeast of the center line of the right of way of the Central Railroad of New Jersey and northeast of the central line of Cherry street, or Park avenue, from its intersection with the Central Railroad southeasterly to the city boundary line.

Sec. 4. That the third ward shall comprise all the territory, and its inhabitants, in the City of Plainfield lying southeast of the center line of Fourth street and southwest of the center line of Cherry street, or Park avenue, in said city.

Sec. 5. That the fourth ward shall comprise all the territory, and its inhabitants, in the City of Plainfield lying northwest of the center line of Fourth street and southwest of the center line of Cherry street, or Park avenue, commencing where the same intersects the center line of Fourth street and running thence to the center of Front street, and thence continuing along the center of

Front street to the intersection of Somerset street; and thence along the center of Somerset street to the boundary line of the city in the middle of Green Brook.

Sec. 6. That at the annual city or charter elections hereafter held in the City of Plainfield, there shall be elected by and from among the inhabitants of each of the said wards two councilmen, one Justice of the Peace, if there is a vacancy in the office of Justice of the Peace in said ward to be filled at such election, one Judge of Election, one Clerk of Election and two Inspectors of Election for each of the polling districts in said wards; and there shall also be elected by and from among the inhabitants of the city at large three Councilmen and the other general city officers whose election is not herein specifically provided for by wards.*

Approved July 12, 1881.

Amended by Ordinance approved July 7, 1909.

An Ordinance Fixing the Boundaries of Election Districts.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the First Ward of the City of Plainfield is hereby divided into four election districts with boundaries as hereinafter specified to be known respectively as the first, second, third and fourth election districts of the First Ward.

Sec. 2. The first election district of the First Ward shall include all the territory and the inhabitants thereof contained in that portion of the First Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Park Avenue and the center line of the right of way of the Central Railroad of New Jersey, and running thence in a northeasterly direction along the center line of said right of way to the center line of Washington Street; thence along the center line of Washington Street in a northwesterly direction to the center line of East Front Street; thence along the center line of East Front Street in a southwesterly direction to the center line of Elm Place; thence along the center line of Elm Place in a northwesterly direction to the City Line in Green Brook; thence along the City Line in Green Brook in a southwesterly direction to the center line of Somerset Street; thence along the center line of Somerset Street in a southeasterly direction to the center line of Front Street; thence along the centre line of Front Street in a northeasterly direction to the center line of Park Avenue; thence along the center line of Park Avenue in a southeasterly direction to

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* See P. L. 1883, p. 38. P. L. 1908, p. 129.

the center line of the right of way of the Central Railroad of New Jersey, the point or place of beginning.

Sec. 3. That the second election district of the First Ward shall include all the territory and the inhabitants thereof contained in that portion of the First Ward bounded and described as follows:

Beginning at the intersection of the center line of Elm Place and the City Line in Green Brook and thence running in a southeasterly direction along the center line of Elm Place to the center line of East Front Street; thence along the center line of East Front Street in a northeasterly direction to the center line of Washington Street; thence along the center line of Washington Street in a southeasterly direction to the center line of East Third Street; thence along the center line of East Third Street in a northeasterly direction to the center line of Richmond Street; thence along the center line of Richmond Street and Norwood Avenue in a northwesterly direction to the City Line in Green Brook; thence along the City Line in Green Brook in a southwesterly direction to the center line of Elm Place, the point or place of beginning.

Sec. 4. That the third election district of the First Ward shall include all the territory and the inhabitants thereof contained in that portion of the First Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Norwood Avenue and the City Line in Green Brook; thence along the center line of Norwood Avenue and Richmond Street in a southeasterly direction to the center line of East Third Street; thence along the center line of East Third Street in a southwesterly direction to the center line of Washington Street; thence along the center line of Washington Street in a southeasterly direction to the center line of the right of way of the Central Railroad of New Jersey; thence along the center line of the right of way of the Central Railroad of New Jersey in a northeasterly direction to the center line of Berckman Street; thence along the center line of Berckman Street, in a northwesterly direction to the center line of East Front Street; thence along the center line of East Front Street in a northeasterly direction to the center line of Farragut Road; thence along the center line of Farragut Road in a northwesterly direction to the City Line in Green Brook; thence along the City Line in Green Brook in a southwesterly direction to the center line of Norwood Avenue, the point or place of beginning.

Sec. 5. That the fourth election district of the First Ward shall include all the territory and the inhabitants thereof contained in that portion of the First Ward lying northeast of the center line of Farragut Road and the center line of Berckman Street, and south-

east of the center line of East Front Street between Farragut Road and Berckman Street, being all that portion of the First Ward not included in the First, Second and Third Districts thereof.

Sec. 6. That the Second Ward of the City of Plainfield is hereby divided into four election districts with boundaries as hereinafter specified to be known respectively as the first, second, third and fourth election districts of the Second Ward.

Sec. 7. That the first election district of the Second Ward shall include all the territory and the inhabitants thereof contained in that portion of the Second Ward bounded and described as follows:

Beginning at the intersection of the center line of Park Avenue and the center line of the right of way of the Central Railroad of New Jersey and running thence in a southeasterly direction along the center line of Park Avenue to the center line of Cedar Brook; thence in a northerly direction along the center line of Cedar Brook to the center line of Watchung avenue; thence in a westerly direction along the center line of Watchung Avenue to the center line of Franklin Place; thence in a northerly direction along the center line of Franklin Place to the center line of East Seventh Street; thence in a southwesterly direction along the center line of East Seventh Street to the center line of Washington Street; thence in a northwesterly direction along the center line of Washington Street to the center line of the right of way of the Central Railroad of New Jersey; thence in a southwesterly direction along the center line of the said right of way to the center line of Park Avenue, the point or place of beginning.

Sec. 8. That the second election district of the Second Ward shall include all the territory and inhabitants thereof contained in that portion of the Second Ward bounded and described as follows:

Beginning at the intersection of the center line of Park Avenue and the center line of Cedar Brook and running thence in a southeasterly direction along the center line of Park Avenue to the City Line; thence in an easterly, northerly and northeasterly direction along the City Line to a point where the same would be intersected by the center line of Putnam Avenue if extended; thence in a westerly direction along the center line of Putnam Avenue as thus extended and as opened to the center line of Franklin Place; thence in a southerly direction along the center line of Franklin Place to the center line of Watchung Avenue; thence in an easterly direction along the center line of Watchung Avenue to the center line of Cedar Brook; thence in a southwesterly direction along the center line of Cedar Brook to the center line of Park Avenue, the point or place of beginning.

Sec. 9. That the third election district of the Second Ward shall

include all the territory and the inhabitants thereof contained in that portion of the Second Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Washington Street and the center line of the right of way of the Central Railroad of New Jersey; thence in a southeasterly direction along the center line of Washington Street to the center line of East Seventh Street; thence in a northeasterly direction along the center line of East Seventh street to the center line of Franklin Place; thence in a southeasterly direction along the center line of Franklin Place to the center line of Putnam Avenue; thence along the center line of Putnam avenue in an easterly direction to the center line of Berckman Street as projected; thence in a northwesterly direction along the center line of Berckman Street as projected and as opened to the center line of the right of way of the Central Railroad of New Jersey; thence in a southwesterly direction along the center line of the right of way of the Central Railroad of New Jersey to the center line of Washington Street, the point or place of beginning.

Sec. 10. That the fourth election district of the Second Ward shall include all the territory and the inhabitants thereof contained in that portion of the Second Ward which is bounded and described as follows:

Beginning at a point in the center line of Berckman Street where the same intersects the center line of the right of way of the Central Railroad of New Jersey; thence running in a southeasterly direction along the center line of Berckman Street as opened and as projected to the center line of Putnam Avenue; thence in easterly direction along the center line of Putnam Avenue as the same would run if extended in its present course to the City Line; thence in a northeasterly and northwesterly direction along the City Line to the center line of the right of way of the Central Railroad of New Jersey; thence in a southwesterly direction along the center line of the right of way of the Central Railroad of New Jersey to the center line of Berckman Street, the point or place of beginning.

Sec. 11. That the Third Ward of the City of Plainfield is hereby divided into four election districts with boundaries as hereinafter specified to be known respectively as the first, second, third and fourth election districts of the Third Ward.

Sec. 12. That the first election district of the Third Ward shall include all the territory and the inhabitants thereof contained in that portion of the Third Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Fourth Street and the center line of Park Avenue; running thence along

the center line of Park Avenue in a southeasterly direction to the center line of West Seventh Street; thence southwesterly along the center of West Seventh Street to the center line of Plainfield Avenue; thence northwesterly along the center line of Plainfield Avenue to the center line of Fifth Street; thence northeasterly along the center line of Fifth Street to the center line of Liberty Street; thence northwesterly along the center line of Liberty Street to the center line of Fourth Street; thence northeasterly along the center line of Park Avenue, the point or place of beginning.

Sec. 13. That the second election district of the Third Ward shall include all the territory and inhabitants thereof contained in that portion of the Third Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Park Avenue and the center line of Seventh Street; running thence along the center line of Park Avenue in a southeasterly direction to the City Line; thence in a westerly direction along the City Line to the center line of Plainfield Avenue; thence in a northerly and northwesterly direction along the center line of Plainfield Avenue to the center line of West Seventh Street; thence in a northeasterly direction along the center line of West Seventh Street to the center line of Park Avenue, the point or place of beginning.

Sec. 14. That the third election district of the Third Ward shall include all the territory and inhabitants thereof contained in that portion of the Third Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Fourth Street and the center line of Liberty Street; running thence along the center line of Fourth Street in a southwesterly direction to the center line of Grant Avenue; thence in a southeasterly and southerly direction along the center line of Grant Avenue to the City Line; thence in an easterly direction along the City Line to the center line of Plainfield Avenue; thence along a northerly and northwesterly direction along the center line of Plainfield Avenue to the center line of West Fifth Street; thence in a northeasterly direction along the center line of West Fifth Street to the center line of Liberty Street; thence in a northwesterly direction along the center line of Libery Street to the center line of Fourth Street, the point or place of beginning.

Sec. 15. That the Fourth election district of the Third Ward shall include all the territory and inhabitants thereof contained in that portion of the Third Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Fourth

Street and the center line of Grant Avenue; running thence along the center line of Fourth Street in a southwesterly direction to the City Line; thence in an easterly direction along the City Line to the center line of Grant Avenue; thence in a northerly and northwesterly direction along the center line of Grant Avenue to the center line of Fourth Street, the point or place of beginning.

Sec. 16. That the Fourth Ward of the City of Plainfield is hereby divided into six election districts with boundaries as hereinafter specified to be known respectively as the first, second, third, fourth, fifth and sixth election districts of the Fourth Ward.

Sec. 17. That the first election district of the Fourth Ward shall include all the territory and inhabitants thereof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Somerset Street and the City Line in Green Brook; thence along the center line of Somerset Street in a southeasterly direction to the center line of Front Street; thence northeasterly along the center line of Front Street to the center line of Park Avenue; thence southeasterly along the center line of Park Avenue to the center line of West Fourth Street; thence southwesterly along the center line of West Fourth Street to the center line of New Street; thence northwesterly along the center line of New Street to the center line of West Front Street; thence southwesterly along the center line of West Front Street to the center line of Washington Avenue; thence northwesterly along the center line of Washington Avenue to the City Line in Green Brook; thence northeasterly along the City Line in Green Brook to the center line of Somerset Street, the point or place of beginning.

Sec. 18. That the second election district of the Fourth Ward shall include all the territory and inhabitants thereof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the City Line in Green Brook and the center line of Washington Avenue, thence southeasterly along the center line of Washington Avenue to the center line of West Front Street; thence northeasterly along the center line of West Front Street to the center line of New Street; thence southeasterly along the center line of New Street to the center line of West Fourth Street; thence southwesterly along the center line of West Fourth Street to the center line of Plainfield Avenue; thence northwesterly along the center line of Plainfield Avenue to the center line of West Front Street; thence southwesterly along the center line of West Front street to the center line of Geraud

Avenue; thence northwesterly along the center line of Geraud Avenue to the City Line in Green Brook; thence northeasterly along the City Line in Green Brook to the center line of Washington Avenue, the point or place of beginning.

Sec. 19. That the third election district of the Fourth Ward shall include all the territory and inhabitants thereof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Geraud Avenue and the City Line in Green Brook; thence southeasterly along the center line of Geraud Avenue to the center line of West Front Street; thence northeasterly along the center line of West Front Street to the center line of Plainfield Avenue; thence southeasterly along the center line of Plainfield Avenue to the center line of West Fourth Street; thence southwesterly along the center line of West Fourth Street to the center line of Grant Avenue; thence northwesterly along the center line of Grant Avenue and the center line of West End Avenue to the City Line in Green Brook; thence northeasterly along the City Line in Green Brook to the center line of Geraud Avenue, the point or place of beginning.

Sec. 20. That the Fourth election district of the Fourth Ward shall include all the territory and inhabitants theerof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the City Line in Green Brook and the center line of West End Avenue; thence southeasterly along the center line of West End Avenue and the center line of Grant Avenue to the center line of the right of way of the Central Railroad of New Jersey; thence southwesterly along the center line of said right of way of the Central Railroad of New Jersey to the City Line; thence westerly along the City Line to the City Line in West Front Street; thence southwesterly along the City Line in West Front Street to the City Line in Jefferson Avenue; thence northwesterly along the City Line in Jefferson Avenue to the City Line in Green Brook; thence northeasterly along the City Line in Green Brook to the center line of West End Avenue, the point or place of beginning.

Sec. 21. That the fifth election district of the Fourth Ward shall include all the territory and inhabitants thereof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the center line of Grant Avenue and the center line of West Fourth Street; thence southwesterly along the center line of West Fourth Street to the center line of

Monroe Avenue; thence northwesterly along the center line of Monroe Avenue to a point where the same would intersect the center line of the right of way of the Central Railroad of New Jersey if extended; thence northeasterly along the center line of said right of way of the Central Railroad of New Jersey to the center line of Grant Avenue; thence southeasterly along the center line of Grant Avenue to the center line of West Fourth Street, the point or place of beginning.

Sec. 22. That the sixth election district of the Fourth Ward shall include all the territory and inhabitants thereof contained in that portion of the Fourth Ward which is bounded and described as follows:

Beginning at the intersection of the center line of West Fourth Street and the center line of Monroe Avenue; thence northwesterly along the center line of Monroe Avenue to a point where the same would intersect the line of the right of way of the Central Railroad of New Jersey if extended; thence southwesterly along the center line of said right of way of the Central Railroad of New Jersey to the City Line; thence easterly along the City Line to the center line of West Fourth Street; thence northeasterly along the center line of West Fourth Street to the center line of Monroe Avenue, the point or place of beginning.

Sec. 23. That an ordinance entitled "An Ordinance to Readjust the Boundaries of Election Districts," approved December 29, 1897, as amended, and all other ordinances or parts of ordinances which conflict with any of the provisions of this ordinance, be and the same are hereby repealed.

Adopted by the Common Council June 5, 1911; approved by the Mayor June 6, 1911.

GEORGE W. V. MOY,
Mayor.

Attest:
J. T. MacMURRAY,
City Clerk.

An Ordinance to Regulate the Appointment and Tenure of Office of Appointable Officers.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. It shall be the duty of the Mayor to nominate to the Common Council, and, subject to its approval, appoint on the first day of January in each year, a suitable person for each officer of the city, appointable by the Mayor, by and with the advice and consent of the Common Council; and every person so nominated and

appointed for any city office, when confirmed by the Common Council, and officially qualified, shall enter upon the duties of the office to which he is nominated and appointed, and unless sooner removed shall continue in such office until the first day of January next ensuing, or until the confirmation of another person nominated and appointed to succeed him.

Sec. 2. If any nomination and appointment by the Mayor for any city officer shall, upon vote thereon of the Common Council be not confirmed, or in case any vacancy in any city office shall occur at any time, it shall be the duty of the Mayor to nominate to the Common Council, and subject to its approval, appoint at each succeeding regular or adjourned meeting a different person for such office, not before nominated for such office during the then current year, until a nomination or appointment for such office shall be confirmed.

Sec. 3. Any city officer nominated and appointed by the Mayor and confirmed by the Common Council may upon complaint of any citizen be removed from office at any time by the affirmative vote of a majority of the members of the Common Council, for neglect of duty or misconduct in office; but before any such removal, the officer charged with any such neglect or misconduct shall be informed of the complaint against him, and, if he so desire, shall have an opportunity to be heard concerning the same before the Common Council at such time and place as the Common Council may appoint and designate for that purpose.

Sec. 4. All ordinances and resolutions and parts of ordinances and resolutions, which conflict with any of the provisions of this ordinance, are hereby repealed and abrogated.

Sec. 5. This ordinance shall take effect immediately.

Approved December 13, 1877.

Amended by Ordinances approved August 5, 1884, and June 7, 1910.

An Ordinance to Create and Define the Duties of a Board of Police and a Police Force.

(As Amended.)

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. The Mayor, the President of the Common Council, and the Committee on Police shall constitute a Board of Police, which Board shall possess such powers and perform such duties as are herein prescribed.

Sec. 2. The Board of Police may hold such meetings at such times and places as they may determine and appoint, and shall have

full authority and control over the city jail and other buildings used for police purposes, and over the entire police force, subject, however, to the ultimate control of the Common Council. The said Board of Police shall have power to hear and determine complaints against policemen charging misconduct or disobedience of any of the rules and regulations established or which may be established for the police force or police department, and in case of conviction, the said Board of Police may order deduction from the pay of the policeman so convicted, not exceeding five dollars for each offense and the deduction so ordered shall be made from the next installment of salary to fall due to such policeman.

Sec. 3. The Police Force shall consist of such number of regular and special policemen, each of whom shall be a resident and legally qualified voter of this city, as the Common Council shall from time to time deem necessary and by resolution order to be appointed. The said Police Force shall rank as follows: Chief of Police, Captain, Sergeant, Detective-Sergeant, Roundsmen, Patrolmen, Doorman.

The duties of the several members and officers of said Police Force shall be those prescribed by the laws of the State, the ordinances of the city and the rules and regulations that may from time to time be prescribed and established by resolution of the Common Council for the better government and discipline of the Police Department. The Patrolmen shall be divided into five (5) classes:

Class A—Fifth year of service and over.
Class B—Fourth year of service.
Class C—Third year of service.
Class D—Second year of service.
Class E—First year of service.

Provided, that the Common Council upon recommendation of the Police Board may advance a Patrolman from a lower to a higher class for especially good work or meritorious service, whether he shall have served his full time, specified above, or not.

That beginning with the first day of January, 1908, the salaries of the members of the force who are regular Policemen be and are hereby fixed at the following rates, that is to say:

Chief	$1,600 per annum
Captain	1,200 per annum
Sergeant	1,140 per annum
Detective-Sergeant	1,140 per annum
Roundsmen	1,080 per annum
Patrolmen:	
Class A	$1,000 per annum
Class B	960 per annum
Class C	924 per annum

Class D ..... 864 per annum
Class E ..... 792 per annum
Doorman ..... 720 per annum

The times from which the several dates of service in the police department of the city are to be calculated, are the dates at which the continuous service of said policemen, respectively, commenced, and said Sergeant, Detective-Sergeant, Roundsmen, Patrolmen and Doorman, respectively, shall be paid at said rates for the number of full days only of service actually performed by them respectively, in each month, except that they severally may, at the discretion of the Board of Police, be paid for any time during which they severally shall be disabled from the performance of duty by reason of physical injuries, provided that the Board shall be satisfied that such injuries were the direct result of personal violence inflicted upon them, respectively, in the performance of their respective duties; and provided further that any member of the force who is temporarily absent from duty because of sickness or disability of any nature, shall receive full pay during the first two weeks of such absence or disability, and half pay during the following two weeks, and if such illness or disability should extend over a longer period than four weeks, it shall be necessary for the Common Council to provide by resolution for any further payment of salary to such officer; and hereafter, each of such officers and policemen shall provide, at his own expense all uniforms and other wearing apparel necessary for their use respectively, as from time to time required by the Board of Police in compliance with the rules of the Department.

Sec. 4. The police force shall be under the general supervision and direction of the said Board of Police, and no person not a member of the police force, duly nominated and appointed by the Mayor, with the advice and consent of the Common Council, shall at any time be permitted to exercise any authority or control over the City jail or any building used for police purposes, or over or concerning any person confined therein, or over any member of the police force, or to perform any police duty save as is in this ordinance otherwise specially provided.

Sec. 5. Each of the regular policemen shall devote all his time to the duties of his office, and shall be vigilant in detecting and arresting all offenders against any city ordinance or any law of the state within said city and in preserving the public peace and protecting the rights of persons and property, and when on duty shall wear such dress or badge as the Board of Police may designate, but no service shall be required of special policemen excepting when called for by the Mayor or Board of Police, save in cases of sudden emergencies requiring the performance of police duty, in all which cases such special policemen shall be ready for any detailed service

required of them by the Mayor or the Board of Police, or such member of the regular police as the Board of Police may designate for the time being as Chief of the Police Force.

Sec. 6. In case of riot or other sudden emergency, the Mayor, or in his absence any member of the Board of Police, may call into active service with full police powers, such number of extra special policemen as they may deem necessary to suppress such riot or meet such emergency; but the services of such extra policemen shall cease with the occasion which called them into service.

Sec. 7. The Ordinance entitled "An ordinance to create and define the duties of a Board of Police and a Police Force," approved December 13, 1877, is hereby repealed, but this section shall not be construed to revive any ordinance which was repealed by the ordinance hereby repealed.

Sec. 8. In case any complaint shall be preferred against any policeman, charging him with incapacity, mis-conduct, non-residence or disobedience of the just rules and regulations established or which may be established for the police force or police department of said city, and the Board of Police shall be of opinion that said charges, if proved, ought to be followed by suspension without pay or removal from office of said policeman, said Board of Police shall thereupon file said complaint or a more formal complaint to be drafted by the Counsel to the Corporation, if said Board shall so direct, in the office of the City Clerk either before or after hearing before the said Board of Police, as said Board of Police may elect, and refer the proceedings thereon to the Common Council. The Common Council in either case upon receiving the complaint shall cause not less than three days' notice to be given to the person charged, of the time and place, when and where the Common Council will proceed to publicly examine into said charges and to afford the person so charged a fair trial upon said charges and every reasonable opportunity to make his defense if he has or chooses to make any. At the time and place so fixed for such public examination and trial, or at such time or times to which the same shall be adjourned, the said public examination and trial shall be had before the Common Council by the oral examination of such witnesses pro and con as may be offered in accordance with the statute in such case made and provided, and in case as the result of trial the person so charged shall be found guilty, the Common Council may order deduction of pay, reduction of rank or suspension or removal from office. It shall be discretionary with the Common Council whether to permit the defense to be conducted by counsel.

Sec. 9. That all ordinances and parts of ordinances, so far as they are inconsistent herewith, are hereby repealed.

Approved February 28, 1882.

Amended by Ordinance—Adopted March 3, 1884; and Readopted April 7, 1884, notwithstanding the objections of the Mayor.

Amended by Ordinances—Approved July 10, 1896, December 28, 1906, February 4, 1908, and March 24, 1911.

An Ordinance to Define the Tenure of Office of Regular Policemen.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the regular policemen of the City of Plainfield now in office, and all who may hereafter be duly appointed thereto, shall severally hold their respective offices as such regular policemen during good behavior, efficiency, and residence in the City of Plainfield, and shall not be removed from the police force for political reasons, or for any other cause than incapacity, misconduct, non-residence, or disobedience of just rules and regulations established, or which may be established, for the police force or police department of the City of Plainfield, provided that any member of the police force who shall be absent from duty without just cause for the term of five days shall at the expiration of said five days cease to be a member of such police force.

Sec. 2. That all ordinances and parts of ordinances so far as they conflict with the provisions of this ordinance be and the same are hereby repealed.

Approved December 29, 1898.

An Ordinance—A General Ordinance to provide for the payment of pensions to qualified Retired Members of the Police Force of the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. Whenever the Common Council shall ascertain and determine, and by resolution adjudge and declare, that any member of the police force of said city who at the time of the adoption of such resolution shall have honorably served upon the police force of said city for twenty years continuously and reached the age of not less than sixty years is, in the judgment of the Common Council, entitled to be retired upon a pension, said Common Council may thereupon, upon the written request of said member of the police force of said city, and upon receiving and accepting his resignation, adopt a further resolution that such member thereupon be forthwith constituted a retired member of said police force.

Sec. 2. That forthwith after receiving and accepting such resig-

nation and after the adoption of both of said resolutions provided for in Section 1 of this ordinance, and not otherwise, such retired member of the police force of said city, constituted as such and designated as such in said resolution, shall be entitled to receive and shall be paid a yearly pension of five hundred dollars, payable in monthly installments, during the term of his natural life.

Sec. 3. This ordinance shall take effect ten days after the date of one publication thereof in each of the official newsapers printed in said city.

Approved August 1, 1910.

An Ordinance to Adopt the Provisions of An Act Entitled, "An Act Providing for the Pensioning of Police Officers and Policemen in Certain Municipalities of This State," Approved March 30, 1911.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the provisions of an act of the Legislature of the State of New Jersey entitled, "An Act providing for the Pensioning of Police Officers and Policemen in certain Municipalities of this State," approved March 30, 1911, are hereby duly adopted by the Common Council of the City of Plainfield.

Sec. 2. That all Ordinances or parts of Ordinances in conflict with the provisions hereof are hereby repealed.

Approved October 19, 1911.

An Ordinance to Provide for the Office of Counsel to the Corporation.

Be it ordained and enacted by the Inhabitants of the City of Plainfield, in Common Council assembled, and it is hereby enacted by the authority of the same:

Section 1. There shall be an officer of the city appointed annually who shall be known as Counsel to the Corporation, and who must at the time of his appointment, have been a resident and engaged in the practice of law in the city for at least one year.

Approved June 22, 1869.

Amended by Ordinance—Approved December 7, 1881.

An Ordinance to Prescribe the Duties of the Counsel to the Corporation.

Be it ordained and enacted by the Inhabitants of the City of Plainfield, in Common Council assembled, and it is hereby enacted by the authority of the same:

Section 1. The Corporation Counsel shall have the charge of, and conduct the law business of the Corporation, and all other law business in which the city shall be interested, when so ordered by the Common Council; and shall have charge of and conduct the legal proceedings necessary in opening, widening or altering streets.

Sec. 2. He shall, from time to time, when required advise the Common Council, and their committees and officers, respectively, upon all matters which may be submitted to him for his opinion.

Sec. 3. He shall draw such ordinances as may be required of him by the Common Council or any committee thereof.

Sec. 4. He shall, when required by the Common Council, prepare the draft of any bill to be presented by the Corporation of the City to the Legislature for passage, with a proper memorial for the passage thereof.

Sec. 5. He shall prosecute and defend, as the Counsel to the Corporation, all actions which may be brought by or against it, or any officer thereof, for or by reason of any matter or duty connected with or growing out of their respective offices, or in which the Corporation are interested, in any court in this State, including actions for violations of the ordinances of the Common Council, or arising under the charter of the city, or under the laws of this state, in which the city is interested.

Sec. 6. He shall, on the first regular meeting of the Common Council, in the months of November and May, in each year, report to the Common Council the titles of all actions in his hands, prosecuted or defended by him, and then pending and undetermined, with such other information in respect thereto as he may deem necessary or proper.

Sec. 7. He shall keep in proper books to be provided by the Common Council for that purpose, a register of all actions prosecuted or defended by him, and of all proceedings had therein.

Sec. 8. The salary to be paid to the Counsel to the Corporation shall be a full compensation, as between him and the Corporation, for all the services he may be required to render by this ordinance; he shall, nevertheless, be entitled to receive the taxable costs in all actions and proceedings which may be conducted, prosecuted, or defended by him as such counsel.

Sec. 9. Upon the expiration of his term of office, or his resignation thereof, or removal therefrom, the Counsel to the Corporation shall forthwith, on demand, deliver to his successor in office, all deeds, leases, contracts, and other papers in his hands, belonging to the Corporation or any of its officers, and all papers in actions prosecuted or defended by him, then pending and undetermined, together with his register thereof, and of the proceedings therein, and

a written consent of substitution of his successor in all such actions then pending and undetermined.

Sec. 10. He shall institute an action in any of the cases in this ordinance mentioned, when instructed to do so by the Common Council or any committee thereof, or upon the complaint of any other person, when in his judgment, the public interest requires that the same shall be prosecuted.

Sec. 11. He may, by and with the consent of the Mayor, or the Committee on Laws and Ordinances, compromise with the party complained of, either before or after an action shall have been brought, for any violation of an ordinance of the Common Council, when the penalty does not exceed one hundred dollars, and when in his judgment, the public interest does not require that an action should be prosecuted therefor.

Sec. 12. In all actions which he is required to prosecute he shall appear as the attorney and counsel of the corporation.

Sec. 13. He shall not bring an appeal in any action in which judgment shall have been given against the corporation, except by direction of the Common Council.

Sec. 14. He shall, on the first Monday in the months of November and May, in each year, report to the Treasurer a statement, under oath, of the actions instituted by him and settled before judgment, of the complaints compromised by him in which no action shall have been commenced, and of all actions prosecuted to judgment, with the result thereof, whether for or against the corporation, and whether an execution has been issued thereon, and, if so, whether it has been collected, and shall include therein a particular account, item by item, of all penalties or other moneys which he may have received for the corporation, and from whom they were received, respectively, and on what account, and when paid; he shall also state therein, item by item, an account of officers' or court fees paid by him, and on what account and when they were, respectively, paid; and shall exhibit, at the foot of the account, the balance thereof whether for or against the corporation.

Sec. 15. If the account shall exhibit a balance in his hands in favor of the corporation, he shall forthwith pay over such balance to the Treasurer, and shall thereupon receive from the Treasurer a voucher for the payment thereof, which he shall forthwith exhibit to the City Clerk, and shall, at the same time, leave with him a copy thereof.

Sec. 16. If the account exhibit a balance against the corporation, the Treasurer, upon being satisfied of the correctness thereof, shall certify the same, which shall authorize an order to be drawn in accordance with the form set forth in the city ordinance, pre-

scribing the duties of the City Treasurer, for the amount of such balance.

Sec. 17. Every officer employed by Counsel to the Corporation to serve process in an action brought by him in the name of the corporation, shall pay to the Counsel to the Corporation all moneys which he may receive, both for penalties and costs, upon a judgment, and the Counsel to the Corporation shall, at least once in every month, pay the officer so employed by him his legal fees and costs.

Approved July 26, 1869.

An Ordinace to Preserve the Purity of Well Water.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That it shall not be lawful for any person or persons to dig, or cause to be dug, or to use, or permit to be used, within the corporate limits of said city, any sink, cess-pool, or other receptacle for waste, of a greater depth than eight feet below the surface of the ground; or to convert any well into such a receptacle; or to use any well so converted without first filling the same to the required depth of eight feet.

Sec. 2. That any person or persons offending against the provisions of this ordinance shall, upon conviction thereof, forfeit and pay the sum of twenty dollars for each and every such offence, one-half to go to the informer and the other half into the city treasury. And, in addition thereto, it shall be incumbent upon such offending person or persons to thoroughly clean out, or cause to be so cleaned out, and then filled up to the aforesaid established depth of eight feet below the surface of the ground, any such condemned sink, cess-pool, receptacle or well.

Sec. 3. That in the event of non-compliance with the concluding portion of the preceding section, at the expiration of fifteen days from the infliction of penalty, it shall be the duty of the Street Commissioner to cause such cleansing and filling to be properly done, at the cost of the person or persons so offending, and to place a certified bill of expenses thereby incurred in the hands of the Corporation Counsel for collection.

Approved November 6, 1872.

An Ordinance to Regulate the Digging of Graves.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no grave for the interment of human remains shall be hereafter dug within said city, of a less depth than six feet

below the surface of the ground, when the length of the grave measures five feet or over; and none of a less depth than five feet, when the length measures four feet, or between that and five feet, and none of a less depth than four feet, when the length measures three feet, or between that and four feet.

Sec. 2. That the penalty for each violation of this ordinance shall be a fine of ten dollars, to be imposed upon each person so offending.

Approved July 16, 1872.

An Ordinance to Protect Ice Ponds.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That it shall not be lawful for any person or persons to throw or place, or cause to be thrown or placed, upon the ice of any private pond, within the corporate limits of said city, any stones, wood, dirt, rubbish, or offal of any description.

Sec. 2. That for every offense against the provisions of this ordinance, each person so offending shall upon conviction thereof, forfeit and pay the penalty of five dollars.

Approved December 17, 1872.

An Ordinance to Prescribe Conditions to be Complied with Before any Private Streets or Roads Dedicated or Offered for Dedication Shall be Accepted by the City.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That any person or corporation contemplating laying out or locating and constructing any street or road in the City of Plainfield shall before beginning such construction submit to the Street Commissioner, the proposed plans therefor, in which shall be included an accurate designation of the location and grades of such street or streets, road or roads, and the sidewalks thereof, as proposed to be laid out as aforesaid, and the proposed manner of construction. Upon receipt of such plans by said Street Commissioner, together with a petition for their approval, said Street Commissioner shall consult with the Committee on Streets of the Common Council, and thereafter give a hearing to said petitioners, if they so request; after such hearing said petitioners may alter such plans if they so desire, and request the approval of said Street Commissioner of the plans so altered.

If said original or altered plans shall be approved by said Street Commissioner, he shall so indicate therein in writing signed by him

and file said plans in his office, and endorse thereon the date of such filing. Unless monuments properly defining the lines of the proposed street or road on any such plan have been already set, hard stone monuments, at least four inches square on top and at least two feet long, shall be forthwith set in sufficient numbers to definitely locate the lines of the proposed street or road. All curved streets or roads shall be laid out with regular curves and sufficient data shall be shown on the maps to enable the streets or roads to be accurately located. Such approval of said plans or any other action by said Street Commissioner with respect thereto, or with respect to said proposed streets or roads, shall not operate as an acceptance of the same as public streets or roads, and acceptance of the same as public streets or roads shall not be effected except by ordinance of the Common Council, the Common Council hereby reserving full discretion in the premises, and the powers of the Common Council in regard to streets and roads shall not be abridged by this ordinance in any manner.

Sec. 2. After the passage of this ordinance, no proposed street or road in the City of Plainfield shown on any plan filed and approved by the Street Commissioner as aforesaid shall be laid out, located anew, altered, widened, or changed in grade, except in accordance with said plans, and no street or road heretofore or hereafter offered for dedication or acceptance by the City shall be accepted otherwise than by ordinance of the Common Council. If any person or corporation shall hereafter construct or open for public travel any private street or road the location, direction, width and grades of which and the manner of construction thereof have not previously been approved in writing by said Street Commissioner in the method provided in this ordinance, then no public sewer, drain, fire hydrant or street lamp shall be laid or placed in or upon, or any public work of any kind done upon, any such private street or road so constructed or opened for public travel except by ordinance of the Common Council.

Sec. 3. The Street Commissioner may in his discretion cause a suitable sign to be erected at any place where any private street or road intersects any public street or road, to indicate that such street or road is not a public highway, but no damages shall be recoverable by any person against the City for any injury alleged to have resulted from any failure to erect such a sign.

Sec. 4. Nothing in this ordinance shall prevent the Common Council or Street Commissioner from permitting suitable sewers laid or to be laid in such private streets or roads by private property owners to be connected with the sewers of the City.

Approved Sept. 10, 1910.

An Ordinance Relating to the Duties of the City Clerk

Be it ordained and enacted by the Inhabitants of the City of Plainfield, in Common Council Assembled, and it is hereby enacted by the authority of the same:

Section 1. It shall be the duty of the City Clerk to have charge of, and keep on file in his office, all of the records, books, papers, contracts and documents of the city. Also to present, or cause to be presented forthwith to the Mayor for his signature, all contracts to which the City of Plainfield may hereafter become a party.

It shall be the duty of the City Clerk to act as City Auditor, and to receive for examination, all claims against the City of Plainfield (except for salaries of city officers, which are fixed by the charter or the Common Council) that may be presented for that purpose not less than five days before any regular meeting of the Common Council, and to examine and submit all such claims with his report to the Common Council at the regular meeting thereof ensuing the presentation of such claims.

Sec. 2. It shall be the duty of the City Clerk to notify in writing every person who shall be appointed to any office or duty by the Common Council.

Sec. 3. It shall be the duty of the City Clerk to enter in a book, provided for that purpose, with a proper index, all resolutions which shall hereafter be adopted by the Common Council.

Sec. 4. Every ordinance hereafter ordered to its third reading shall forthwith be properly engrossed by the City Clerk; and all subsequent action by the Common Council in relation thereto shall be upon such, or a similar engrossed copy.

Sec. 5. Whenever an ordinance hereafter shall be ordered to its third reading, it shall be the duty of the City Clerk forthwith to cause to be published, in the manner prescribed by the Charter, notice of the intended adoption of the same.

(Sec. 6. Repealed by ordinance approved March 6, 1876.)

Sec. 7. All ordinaces of parts of ordinances inconsistent with the provisions of this ordinance, shall be and the same are hereby repealed.

Approved December 5, 1871.

Amended by Ordinance approved December 31, 1888.

An Ordinance Relating to the City Physician

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. There shall be nominated and appointed by the

Mayor, subject to confirmation by the Common Council, on the first Monday in February in each year, a competent and resident physician of the city, to be called the City Physician.

Sec. 2. He shall, when requested by the Overseer of the Poor, or Chairman of Alms Committee, professionally attend any of the city poor and furnish them needful advice and medicine. And further when required by the Board of Health he shall visit such sick persons as said Board may have charge of in the interest of the public health, and give all necessary assistance in such cases.

Sec. 3. In case of any person dying within the City, unattended by a physician, he may be required by the Mayor, Chairman of the Alms Committee, or Board of Health, to view the body and furnish a certificate of death, made out on the blank forms provided by the State Board of Health.

Sec. 4. He shall present to the Common Council a written report on the first Mondays of May, August, November and February, giving the names of all the city poor attended by him during the preceding quarter, and stating the character of the disease of said poor persons.

Sec. 5. The salary of the City Physician shall not exceed four hundred dollars per annum, payable in like manner as other salaried officers of the city, which sum shall be full compensation for all professional services rendered and medicines furnished by him under the provisions of this ordinance.

Sec. 6. The ordinance entitled "An ordinance to establish the office of City Physician and to prescribe his duties," approved July 15, 1876, is hereby repealed, but this section shall not be construed to revive any ordinance which was repealed by the ordinance hereby repealed.

Sec. 7. All ordinances and parts of ordinances, resolutions and parts of resolutions, inconsistent with the provisions of this ordinance are hereby repealed.

Approved June 4, 1890.

Amended by ordinance approved March 21, 1892.

An Ordinance Relating to the Morals, Peace and Good Order of the City of Plainfield

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the several acts and offences in the ordinance herein named are hereby prohibited, and any person found guilty of any of them shall be subject on each conviction thereof to the

penalties herein provided for them respectively, which shall be for the use of the City of Plainfield, that is to say:

Sec. 2. For disturbing the quiet of the city, or of any lawful assembly of persons, or of any neighborhood, family or person within the city by any loud or unnecessary noise with kettles, bells, drums, or other articles, or by shouting, or by using any profane, indecent or obscene language, or any indecent conduct whatever, or by quarreling, assaulting or fighting, or otherwise disturbing the public peace, any sum not exceeding one hundred dollars, or imprisonment not exceeding sixty days in the city or county jail, or both fine and imprisonment, at the discretion of the Court before whom a conviction thereof shall be had.

Sec. 3. For throwing stones, sticks or any hard, dangerous or offensive substances in or into any street, byway or public place, or at any cars, vehicles, houses, buildings or fences within the city limits, any sum not exceeding one hundred dollars, or imprisonment not exceeding sixty days in the city or county jail as aforesaid.

For distributing, strewing about or placing in any street or public place, areaway or yard, or upon the steps or porch of any building, or causing to be distributed, strewed about or placed, any papers, circulars, cards or pamphlets, except such papers or other matter as may be ordered or subscribed for by the occupants of the premises, any sum not exceeding twenty dollars for each offense.

For sweeping, casting, throwing or depositing, or causing to be swept, cast, thrown or deposited, upon any public street, sidewalk, gutter, alley or other public place within the City of Plainfield, any paper, rags, straw, wood, boxes or other rubbish, any sum not exceeding twenty dollars for each offense.

For depositing upon the surface of any lot bordering upon any street, lane or alley of said city, any rubbish or matter likely to decompose or be blown about by the wind or using any such substances to fill in or raise the surface or level of any ground in the city, unless a written permit is first obtained therefor from the Board of Health, any sum not exceeding twenty dollars for each offense.

Sec. 4. For setting off fire crackers or squibs, throwing fireballs made of combustible materials, or making bon-fires on the streets or public ways or firing or discharging any gun, pistol or fowling-piece, or any kind of fire-arms, or cannon, in any public street, within the city limits, except on the Fourth Day of July, any sum not exceeding twenty dollars.

Sec. 5. For knowingly causing a false alarm of fire, a sum

not exceeding one hundred dollars, or sixty days' imprisonment in the city or county jail, or both fine and imprisonment.

Sec. 6. For keeping, or causing or permitting to be kept a house, shop, room or place of any description, in which any kind of disorder or noise is made, or permitted, to the alarm, annoyance or disturbance of the neighborhood, or in which persons assemble, or to which persons resort for the purpose of buying or drinking spirituous or fermented liquors, or which place is injurious to the public health, public quiet or public morals, or in which is kept any table or device of any kind, upon or by which any game of chance or hazard shall be played, any sum not exceeding one hundred dollars, or thirty days' imprisonment in the city or county jail, or both fine and imprisonment, in the discretion of the Court.

Sec. 7. For bathing, washing or swimming in the day time, when naked, or insufficiently clothed, in any brook, lake or pond within the city limits, any sum not exceeding ten dollars.

Sec. 8. For being intoxicated in any street, alley or other public place in the city, any sum not exceeding ten dollars, and double that sum for every subsequent offense.

Sec. 9. For selling, giving or delivering any intoxicating liquor to a minor, either to drink or carry away, or selling or giving such liquors to a person who is intoxicated or in the habit of being intoxicated, a sum not exceeding one hundred dollars, or sixty days' imprisonment, or both such fine and imprisonment.

Sec. 10. For intentionally driving or riding any horse or other beast of burden, (whether attached to a vehicle or not), in any streets, alleys or highways of the city, faster than an ordinary traveling gait, or for intentionally leading, driving or riding any beast of burden on any sidewalk of the city, any sum not exceeding five dollars; and for such fast driving or riding as above named, when a collision is thereby produced with any person, vehicle or other thing, or any injury is occasioned by such driving or riding, any sum not exceeding one hundred dollars, or imprisonment in the city or county jail not exceeding sixty days, or both, in the discretion of the Court. **Provided,** that this section shall not apply to persons driving horses attached to sleighs while trotting in an easterly direction on North avenue between the easterly side of Berckman street and the easterly limits of the city, on days other than Sunday, commonly called the first day of the week.

Sec. 11. For unnecessarily obstructing the streets or byways of the city with any kind of vehicles, or with boxes, lumber, timber, wood or any other thing, any sum not exceeding ten dollars; and for continuing any of the above obstructions after having been notified to remove them by the Street Commissioner (or any other

officer of the city government authorized to give such notice), any sum not exceeding ten dollars for each day of such continuance, not exceeding one hundred dollars on any one conviction; provided that the provisions of this section shall not be construed to prevent persons who are building from occupying one-half the width of the sidewalk and one-third the width of the roadway in front of the place where they are so building, upon their first obtaining from the Street Commissioner or the Common Council a written permit so to do.

Sec. 12. For intentionally obstructing or hindering any city officer in the performance of his duty, or for wilfully refusing or neglecting to assist any city officer, when lawfully required to do so by him in the execution of any process in the suppression of a breach of the peace, in case of an escape, or when he is resisted in the discharge of his duty, a sum not exceeding one hundred dollars or imprisonment in the city or county jail not exceeding sixty days, or both, in the discretion of the Court.

Sec. 13. If any person knowingly and wilfully resist or oppose any officer of this city, or any person authorized by law, in serving, or attempting to serve any writ, bill, order or process whatever, or when arresting any person violating any of the ordinances of this city, either with or without warrant, he shall be punished by a fine not exceeding one hundred dollars, nor less than five dollars, or imprisonment in jail not exceeding sixty days, or both such fine and imprisonment, at the discretion of the Court.

Sec. 14. If any person shall intentionally break, or injure, or cause to be broken or injured, any fire alarm box owned by the city, or any street lamp used or lighted by, or rented to the city, he shall, upon conviction, be punished by a fine not exceeding fifty dollars, or imprisonment in the city or county jail not exceeding thirty days, or both, in the discretion of the Court. And if any person shall make complaint and secure conviction under this section, he shall be entitled to one-half of any fine imposed in such case, and upon payment of the fine so imposed the Mayor or City Judge, as the case may be, shall pay the informer one-half of said fine so collected.

Sec. 15. If any person, except the regular lamp-lighter and his assistants, light or extinguish any street lamp, such person, on conviction, shall be punished by a fine not exceeding twenty-five dollars for each offence.

Sec. 16. If any person tether any horse, sheep, goat, or neat cattle on or upon any road, street, lane, alley, square, park or public place, within the city limits, he shall, upon conviction, be punished by a fine not exceeding ten dollars for each offence

Sec. 17. If any person permit any horse, sheep, goat, or neat cattle to feed on or upon any road, street, lane, alley, square, park or public ground, within the city limits, whether in charge of any person or not such person shall, on conviction, be punished by a fine not exceeding ten dollars.

Sec. 18. It shall be the duty of the police to take and secure in some proper place any of the animals described in the preceding sections 16 and 17, until the fine is paid or their release is ordered by the Mayor or the City Judge.

Sec. 19. If any person play ball in any of the streets of the City of Plainfield, he shall, upon conviction, be punished by a fine not exceeding five dollars for each offence.

Sec. 20. If any person within the city limits, between sundown and sunrise of any day, make any bon-fire in any of the public streets, he shall, upon conviction, be punished by a fine not exceeding five dollars. Dry leaves may be burned in the gutters of streets during the forenoon of any week day, but all debris resulting from said burning must be removed within twelve hours of daylight after said leaves are burned.

Sec. 21. If any person wilfully break down, or injure any fence or inclosure belonging to or in the possession of other persons, or shall carry away any portion of such fence or inclosure, without the owner's consent, such person shall, on conviction, be punished by a fine not exceeding one hundred dollars, or imprisonment in the city or county jail not exceeding sixty days, or both, in the discretion of the Court.

Sec. 22. If any person obstruct the free passage of pedestrians by loitering or assembling on the streets, or on the corners of the streets, or on the sidewalks, or in front of any private or public building, or church, or place where religious services are held, or interfere with, or annoy in any way whatever, persons going to or returning from any place where religious or other services have been held, such person so offending shall, on conviction, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city or county jail not exceeding sixty days, or by both fine and imprisonment, in the discretion of the Court.

Sec. 23. No person shall fly any kite in the public streets of this city, under the penalty, upon the conviction thereof, of being fined any sum not exceeding five dollars for each offence.

Sec. 24. If and person leave any horse or team standing untied in any of the streets of this city, unless the same is in charge of some person competent to care for the same, he shall be liable, on conviction, to be fined any sum not exceeding ten dollars for each offence.

Sec. 25. No person shall drive any horse before a sleigh or sled through any of the streets of this city, unless there shall be a sufficient number of bells attached to the harness of such horse and sleigh or sled, to warn persons of the approach thereof, under the penalty of being fined any sum not exceeding ten dollars for each offence.

(Sections 26, 27 and 28 repealed by ordinance approved May 21, 1878).

Sec. 29. When any party is convicted of violating any of the ordinances of this city, and fails or neglects to pay the fine imposed for such violation, and the cost of suit, within two days after conviction, the City Judge may, in his discretion, cause such party to be committed to the city or county jail for any period not exceeding twenty days.

Sec. 30. In all proceedings for the violation of any ordinance, the costs thereof shall be added to the penalty, and such costs shall be those allowed for similar services in Courts for the trial of small causes.

(Sec. 31, repealed by ordinance approved December 30, 1879).

Sec. 32. Whenever in describing or referring to any person, party, matter or thing, any word importing the singular number or masculine gender is used in this or any other ordinance, the same shall be understood to include, and shall apply to several persons and parties, as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter and things, unless it be otherwise provided, or there be something in the subject or contract repugnant to such construction.

Sec. 33. That ordinances relative to the peace and quiet of of the city, approved January 14, 1874.

To prevent horses, cattle, etc., from running at large, approved July 6, 1869.

Relating to the morals, peace and good order of the city, approved July 6, 1869, April 29, 1872, and July 10, 1872.

To prohibiting the playing of ball, etc., approved September 29, 1870.

To prevent bonfires and false alarms, approved January 24, 1871.

For preserving peace and good order, approved July 16, 1872.

To secure to pedestrians the unobstructed use of public walks, approved August 15, 1872.

To prevent persons from destroying and meddling with street lamps, approved October 9, 1872.

And all other ordinances and parts of ordinances inconsistent

with the provisions of this ordinance, be, and the same are hereby repealed. But nothing herein contained shall in anywise be construed to affect any proceeding now pending under any ordinance, but such proceeding shall be proceeded with and be determined in the same manner as if this ordinance had not been passed.

(Amendment of January 4, 1875).

Sec. 1. If any person shall make complaint to the Mayor or City Judge of the violations of sections 6 and 9 of this ordinance, or either of said sections, and shall secure a conviction under the same, in that event said person shall be entitled to one-half of any fine imposed by the Mayor or City Judge, under sections 6 and 9 of said ordinance or either thereof.

Sec. 2. Upon the payment of the fine so imposed and collected, the Mayor or City Judge shall pay to the informer or informers the one-half of said fine so collected.

(Amendment of September 15, 1883, as amended by ordinances approved November 3, 1891, and September 9, 1895).

Sec. 3. No person shall cry or openly expose for sale any wares, merchandise, fruit, herbs, meats, fish, goods or chattels, or keep open any shop, store or place in which said articles are sold, or in which the occupation of barber, shoemaker, blacksmith, silversmith or other trade requiring the exercise of manual labor is carried on, on the first day of the week, commonly called Sunday, except in cases of necessity and the sale of milk and medicine. And any person violating this section shall upon conviction thereof be fined in a sum not exceeding twenty-five dollars, or be imprisoned in the city or county jail not exceeding ten days, or both, in the discretion of the Court. Provided, however, that this section shall not apply to any person who habitually observes the seventh day, commonly called Saturday as the Sabbath and who carries on his business within his premises in such a manner as not to disturb the religious observance of Sunday as the Sabbath.

Sec. 4. No person shall maliciously injure, cut down or otherwise destroy any tree, shoot or the guards placed around the same, or any lamp post standing in any of the streets or public grounds in the city, or tie any horse or other animal thereto, under a penalty not exceeding fifteen dollars for each offence. No person shall tie, paste, nail, tack, or otherwise attach any writing, picture, paper, or sign to any tree standing in any street or public grounds of said city, or otherwise mar or deface any such tree, under a penalty not exceeding fifteen dollars for every offence. No person shall tie, paste, nail, tack or otherwise attach any writing, picture, paper or sign, except street signs, to any telegraph, telephone or electric

light pole standing in any street or public grounds of said city, under a penalty not exceeding fifteen dollars for every offence.

Original ordinance approved April 23, 1874.

Amended by ordinances approved January 4, 1875, December 7, 1881, September 15, 1883, October 7, 1884, November 3, 1891, December 8, 1891, December 27, 1893, September 9, 1895, May 23, 1901, June 11, 1907, August 6, 1907, November 8, 1911.

An Ordinance for the Suppression of Vice and Immorality

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person or persons shall on the first day of the week, commonly called Sunday, sell, dispose of, or offer or expose for sale, or cause or permit to be sold, disposed of or offered or exposed for sale, any cider of any description, under penalty of a fine not exceeding twenty dollars for each and every offence.

Sec. 2. That all ordinances and parts of ordinances so far as they are inconsistent herewith be and the same are hereby repealed.

Approved February 7, 1896.

An Ordinance to Provide for the Relief and Support of the Poor of the City of Plainfield.*

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. It shall be the duty of the Common Council, in pursuance of the authority conferred by the Charter, to order and cause to be assessed and raised by tax in each year such sum or sums of money as may be necessary for the support of the city poor, and the moneys so raised shall constitute a separate fund for such purpose, and be disbursed by the City Treasurer only on warrants issued by order of the Common Council.

Sec. 2. It shall be the duty of the Mayor to nominate to the Common Council and, subject to its approval, appoint, on the first Monday in February in each year, a suitable person for Overseer of the Poor, whose powers and duties shall be such as are herein prescribed, and who, when confirmed by the Common Council,

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* See P. L., 1893, p. 495, and P. L. 1901, p. 41. See also P. L. 1911, p. 390.

and officially qualified, shall enter upon his duties, and unless sooner removed, continue in office until the first Monday in February next ensuing, or until the confirmation of another person nominated and appointed to succeed him; and such Overseer of the Poor shall receive such compensation for his services, to be paid out of the moneys raised for the relief and support of the city poor, as may from time to time be fixed by resolution of the Common Council. If any such nomination and appointment shall, upon vote thereon by the Common Council, be not confirmed, or in case any vacancy in the office of the Overseer of the Poor shall occur at any time, it shall be the duty of the Mayor to nominate to the Common Council, and subject to its approval, appoint at each succeeding regular or adjourned meeting, a different person for Overseer of the Poor, not before nominated for that office during the then current year, until a nomination and appointment for that office shall be confirmed.

Sec. 3. No person shall receive support or relief out of the moneys raised in pursuance of the first section of this ordinance who has not obtained a legal settlement, or become legally entitled to relief in this city, or who has any relative able and legally bound to relieve or maintain him or her; and no male person over the age of eighteen years, able to work, shall receive support or relief except in return for labor performed by him, either upon the city streets under the direction of the Street Commissioner, or otherwise, under the direction of the Mayor; and in any such case only to an extent equal to the fair value of such labor performed.

Sec. 4. No person otherwise entitled thereto shall receive support or relief, except on personal application to the City Judge, or in his absence, to the Mayor, at such time and place as the City Judge or Mayor shall appoint; and upon every such application the officer to whom the same is made shall examine the applicant upon oath or affirmation touching his or her name, age, place of birth, occupation, family and relatives, place or places of residence for the three years next preceding, and his or her last place or places of legal settlement, and as to whether he or she is then receiving relief from any, and if so, what other source, or has before received support or relief from this city, and if so, when and for what time, the necessity for the relief sought, and such other matters as such officer may deem important to be considered in connection with such application; and the testimony of every such applicant concerning the matters aforesaid shall be reduced to writing and subscribed by him or her; and upon every application such officer shall satisfy himself as to the ability of the applicant to work, and he may require such further evidence touching any of the

matters aforesaid as he may deem necessary in order to enable him to determine the justness of such application; but in any case it shall appear by the certificate of the City Physician that any person seeking or needing relief is physically or mentally incapable of making the personal application and oath or affirmation aforesaid, the same may be dispensed with, and the aforesaid particulars concerning the person seeking or needing relief shall be ascertained by such officer by the best other obtainable evidence. If therefore it shall appear to such officer that such applicant is entitled to relief, he shall give to the Overseer of the Poor a certificate to that effect, which in case of every application shall state whether in the opinion of such officer such applicant is able to work and which shall be attached to the evidence taken upon such application, and the Overseer of the Poor shall file such certificate and evidence in the office of the City Clerk within two days after he shall have received the same.

Sec. 5. The Overseer of the Poor, before granting relief to any person on the certificate of the City Judge or Mayor, shall enter in a well-bound, properly-indexed book, to be procured by him at the cost of the city poor fund, and kept by him for that purpose, the name, age, place of birth, sex, residence and occupation of such person, whether such person has a legal settlement in this city, is at the time receiving any, and if so, what relief from any other source, and whether he or she has any relative able or legally bound to relieve or maintain him or her, and if so, who; together with a memorandum of the causes which have operated to constitute such person a pauper, so far as the same can be ascertained; and after such entry shall have been made, the Overseer of the Poor may grant such person such relief as in his judgment the necessities of such person shall require, by an order or orders signed by him on such person or persons or association or corporation as he may designate, subject to and in accordance with the requirements of the sixth section of this ordinance, for beef, salt pork, salt fish, flour, oat meal, yeast, bread, beans, rice, potatoes, coffee or tea, milk, sugar, salt, vinegar, pepper, coal, wood, clothing, soap, candles, or kerosene oil and matches, or one or more of such articles, and no others, except as hereinafter provided; but in no case shall the Overseer of the Poor grant to any person a greater number or more of such articles, nor shall such relief continue for a longer period than the actual necessities of such person shall require, and before issuing any order for supplies or for relief of any kind under this ordinance the Overseer of the Poor shall satisfy himself by proper investigation that the relief sought is at the time actually necessary in the particular case; and no such order, to be filled in the dis-

cretion of the person in whose favor the same is drawn, shall in any case be granted, but every such order shall clearly specify and state upon its face the items, nature, quality and quantity of the articles to be furnished, and in no case shall relief granted consist, in whole or part, of money or credit; but other supplies may be furnished by the Overseer of the Poor on certificate of the City Physician, previously obtained, that such other supplies are necessary to the health of the person in whose behalf such certificate shall be made; and in every case, before delivering any order or relief, the Overseer of the Poor shall enter in a separate book, to be by him procured at the expense of the city poor fund, and kept for such purpose, a statement of the date of such order, and in whose favor issued, and of the nature and items of the relief granted, and the quality and quantity of all articles ordered to be supplied and to whom granted.

Sec. 6. The Overseer of the Poor shall receive and consider all written offers which shall from time to time be made to him to furnish any article or articles by the fifth section of this ordinance authorized to be supplied to poor persons, and if, before granting relief in any particular case, he shall have received from any person or persons, or association or corporation any offer or offers which remain in force to supply such article or articles as is, or are, or shall be needed or appropriate in such case at any specified price or prices, such article or articles needed or appropriate in such case shall be obtained from, and the order therefor shall be on, the person or persons, association or corporation, who or which shall have offered to supply such articles, or similar articles, at the lowest price mentioned in any offer to furnish such or similar articles received by him. Provided, however, that the Overseer of the Poor shall transmit to the Common Council at its regular meeting on the first Monday of each month all offers to provide articles by this ordinance authorized to be supplied to poor persons, which shall have been received by him during the month next preceding, and that the Common Council may from time to time designate by resolution the person or persons, or association or corporation, upon whom or which any or all orders for supplies to poor persons under this ordinance shall be drawn; and in cases other than those provided for by the third section of this ordinance may declare whether any labor shall be performed in payment therefor.

Sec. 7. The books of the Overseer of the Poor shall at all times be open to the inspection of any resident of the city, and on the first Monday in February in each year shall be submitted to the Common Council. On the first Mondays of February, May, August and November in every year, the Overseer shall present to the

Council a report of his doings for the next preceding quarter, and no relief after the first Monday of February of each year shall be granted by him until this ordinance to any person previously aided, without a new application to the City Judge or Mayor as provided in section four of this ordinance.

Sec. 8. All claims against the city for supplies furnished under this ordinance, shall be sent to the Overseer of the Poor with all his orders, in pursuance of which such supplies were furnished attached and verified by the affidavit of the claimants or one of them in the following form:

Union County,
City of Plainfield, } ss

..... being duly sworn, deposes and says that he is.....the claimant named in the annexed account for supplies, amounting to.....dollars; that the said account is in all things just and true, and that all of the articles enumerated therein were actually furnished and delivered by said claimant in pursuance of written orders by the proper authorities, all of which orders are hereunto annexed: that the prices in said account mentioned are fair and reasonable, and no greater than those charged for goods of like description to ordinary customers; that no fees, perquisites, commissions, percentages or allowances of any kind whatever have been made or agreed to be made, and that none will be made directly or indirectly to any person in consideration of the purchase or procurement of said articles or any of them from said claimant, and that the amount of said claimant is wholly unpaid and is justly due to said claimant.

Sworn to before me this
....day of....1... }

and if such claims shall appear to the Overseer of the Poor to be correct, he shall attach to each of them his affidavit in the following form:

Union County,
City of Plainfield, } ss

.....being duly sworn, deposes and says that he is the Overseer of the Poor of said City of Plainfield; that the annexed claim for supplies amounting to.....dollars, is in all things just and true, and that all the orders thereto attached in pursuance of which such supplies were granted, were given by him under the ordinance entitled "An Ordinance to provide for the

Relief and Support of the Poor of the City of Plainfield," adopted by the Common Council in.....18.., with all the provisions of which ordinance he has fully complied.

Sworn to before me this
....day of....1... }

and all claims for supplies furnished upon the certificate of the City Physician, shall in addition be accompanied by his affidavit in the following form:

Union County,
City of Plainfield, } ss

.....being duly sworn, deposes and says that he is the City Physician of the City of Plainfield; that the supplies mentioned in the annexed claim amounting to.....dollars, were furnished in pursuance of his certificate of the necessity therefor, previously given, and that in his judgment such supplies were necessary to the health of the person for whose relief the same were ordered.

Sworn to before me this
....day of....1... }

and all such claims with the accompanying orders and affidavits, shall then be presented by the Overseer of the Poor to the Common Council through any one of the members, and all claims so authenticated and appearing on examination by the Common Council or its appropriate committee, to be correct shall be ordered to be paid.

Sec. 9. If any person certified by the City Judge or Mayor under this ordinance to be entitled to relief shall be in need of shelter, the Overseer of the Poor may provide necessary shelter for such person, but no such shelter shall be provided at city expense for a term exceeding two months, unless before the expiration of such two months the Overseer of the Poor shall have made known to the Common Council the name of the person needing such shelter, and whether he or she is able to work; the place where it is proposed to furnish such shelter; the price which it is proposed to pay therefor; whether it is proposed that any, and if any what labor shall be performed by such person, in whole or in part payment therefor; and whether any other persons receiving relief under this ordinance are sheltered in the same place, and the Common Council shall have investigated the case through its appropriate committees, and shall have authorized the same, and all claims against

the city for shelter supplied under this ordinance shall state whether any, and if any, what labor has been performed by the person sheltered, in whole or in part payment therefor, and the fair value thereof; and in every such case proper credit shall be given to the city upon such claim for the fair value of such labor; and each such claim shall be presented in writing to the Overseer of the Poor accompanied by the affidavit of the claimants or one of them, that the shelter for which such claim is made has actually been supplied by such claimants or claimant, in pursuance of orders by the Overseer of the Poor, that all of the statements in such claim are true; and that the amount of such claim is justly due from the city to such claimants or claimant, and unpaid; and if the Overseer of the Poor shall upon examination find such claim correct, he shall at once transmit the same to the Common Council, accompanied by his own affidavit to the effect that the shelter for which such claim is made was supplied by the claimants or claimant therein mentioned in pursuance of orders by him, under and in accordance with the requirements of this ordinance; that the price therein charged for such shelter is the price authorized to be paid therefor by the Common Council, and that such claim is in all things just; and all claims for shelter so authenticated and appearing on examination by the Common Council or its appropriate committee to be correct, shall be ordered to be paid.

Sec. 10. It shall be lawful for the Common Council to cause any person certified by the City Judge or Mayor under this ordinance to be entitled to relief, to be placed in any incorporated charitable institution at the time located in this city to be there relieved, cared for, or supported and from time to time to furnish the means of such relief or support in such institution from the city poor fund.

Sec. 11. The legal status and liabilities of all poor persons in this city, and the powers and duties of the Overseer of the Poor over and concerning them, shall be such as are defined and specified in the act of the Legislature of this State entitled "An Act for the settlement and Relief of the Poor," passed March 27, 1874, excepting in so far as the same are otherwise defined and regulated by this ordinance, **provided**, that all such applications as are by said act directed to be made to one or two Justices of the Peace, shall be made to the City Judge, or in his absence to the Mayor, and that all duties by said act imposed upon one or two Justices of the Peace shall be performed by the City Judge, or, in his absence, by the Mayor.

Sec. 12. Any person who shall in any affidavit or deposition required by this ordinance wilfully make any false statement or

shall in any other respect offend against this ordinance shall, upon conviction thereof, be punished for each offence by fine not exceeding fifty dollars recoverable for the use of the city, or by imprisonment in the city or county jail for any term not exceeding sixty days, or both such fine and imprisonment.

Sec. 13. Any Overseer of the Poor appointed under this ordinance may, upon complaint of any person, be removed from office at any time by the affirmative vote of a majority of all the members of the Common Council for neglect of duty, or misconduct in office; but, before any such removal, the Overseer charged with any such neglect or misconduct shall be informed of the complaint against him, and if he so desires shall have an opportunity to be heard concerning the same before the Common Council at such time and place as the Common Council may appoint and designate for that purpose.

Sec. 14. The ordinance entitled "An ordinance to provide for the Relief of the Poor in the City of Plainfield," passed August 12th, 1878, and all ordinances and resolutions and parts of ordinances and resolutions which conflict with any of the provisions of this ordinance are hereby repealed and abrogated.

Sec. 15. This ordinance shall take effect immediately.

Adopted March 15, 1880.

Re-adopted April 19, 1880, notwithstanding the objections of the Mayor.

Amended by ordinance approved March 5, 1889.

An Ordinance Concerning the Industrial Home, and the Inmates Thereof.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the Alms House of the City shall be known and designated as the City Industrial Home.

Sec. 2. That it shall be the duty of the Overseer of the Poor, and he is hereby authorized and empowered, to direct and assign the persons under his charge in the said Industrial Home to such employment or occupation as they may respectively be capable of pursuing, and especially to make such arrangements that all the labor in the said Industrial Home shall be accomplished by the inmates thereof, if consistent with their ability. To determine whether any inmate who alleges physical disability, infirmity or illness, as an excuse for failure to perform such labor as may be assigned to said inmate, is feigned or genuine, said Overseer may

call to his aid the City Physician, whose duty it shall be to make examination in the premises, and report his conclusion to said Overseer.

Sec. 3. It shall be the duty of said Overseer of the Poor and the Superintendent and the Matron of said Industrial Home to carefully observe and strictly enforce the Rules and Regulations adopted by the Common Council from time to time, in relation to the government and discipline of the said Industrial Home.

Approved June 5, 1900.

An Ordinance Providing for the Licensing and Regulating of Peddlers, Hawkers, Cartmen, and the Owners and Drivers of Vehicles used for hire; and Concerning Street Traffic Regulations.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the Mayor of said City is hereby authorized to grant licenses under his hand and the seal of the city to so many and to such persons as he shall think proper, of good moral character, and otherwise qualified according to the provisions of this ordinance, and to incorporated companies, to carry on, wholly or in part, within the limits of the city, the business of peddler, hawker or cartman, to drive or keep for use for hire hack, omnibus, stage, truck, motor vehicle or other vehicle for the transportation of passengers, baggage or merchandise, according to the provisions of this ordinance; and the City Clerk shall keep a detailed record of all licenses so granted.

Sec. 2. That every application for any such license shall be in writing, signed by the applicant, stating his place of residence, and the purpose for which such license is asked. Every applicant for a peddler's or hawker's license shall specify whether he proposes to conduct his business with a horse and wagon or with a handcart or on foot without wheeled vehicle. Every applicant for driver's license shall endorse on his application the names of three reputable citizens to whom reference is made as to the character of the applicant. Every applicant for a license for a motor vehicle shall set forth in his application that his motor vehicle has seating capacity for at least four passengers, and that he has equipped his said motor vehicle with a taxameter of standard make affixed to the front axle of said motor vehicle and so constructed and adjusted as to indicate automatically on the dial of said taxameter the charges for distance in accordance with the charges fixed by this ordinance. Every applicant under this ordinance for a license of any kind shall definitely agree in his said application to conform to and abide by the regula-

tions prescribed or to be prescribed hereafter by the Board of Police of the City of Plainfield with the approval of the Mayor, to regulate traffic upon the public streets and with respect to the standing and movement of vehicles at or near the several railroad stations and other places of public assemblage or crowded vehicular traffic.

Sec. 3. That no person or corporation shall pursue, or in any manner carry on, as owner or as agent for another, within the limits of said city, the business of peddler or hawker without being first licensed therefor, according to the provisions of this ordinance, under a penalty of ten dollars for each and every offense, provided that nothing herein contained shall prevent farmers and gardeners from selling the products of the farms owned or occupied by them, or milkmen from carrying on their business in said city without a license under this ordinance.

Sec. 4. That no person or corporation shall drive, keep or use for hire or wages, or cause to be driven, kept or used for hire or wages any cart, truck, hack, omnibus, stage, motor vehicle or other vehicle for the transportation of passengers, baggage or merchandise of any kind, wholly or in part within the limits of said city, without being first licensed therefor, according to the provisions of this ordinance, under penalty of ten dollars for each and every offense, (provided that none of the requirements contained in this section shall apply to owners or drivers of any livery stable vehicles, other than those vehicles kept by them for the use of passengers solicited at the railway stations or elsewhere within the city limits. One license and one only shall be required for each cart, truck, hack, omnibus, stage, motor vehicle or other vehicle, but for each driver other than the owner of such licensed cart, truck, hack, omnibus, stage, motor vehicle or other vehicle, a separate license shall be required.

Sec. 5. That each license granted under the provisions of this ordinance shall expire on the first day of March next following the granting of the same, and shall state the object for which it is given, the name of the person or corporation licensed, the number of the license, and the date of its expiration, and shall be signed by the Mayor and attested by the City Clerk and countersigned by the Chief of Police.

Sec. 6. That for licenses under this ordinance the fees to be paid shall be as follows:

For license as aforesaid:

(a) To the owner in case of a hack, omnibus or stage with one horse $5.00

(b) To the owner in case of a hack, omnibus or stage with two horses $7.50

(c) To the owner in case of an expressman with one horse and wagon $5.00

(d) To the owner in case of an expressman with two horses and wagon $7.50
(e) To the owner in case of a truckman with one horse and wagon $5.00
(f) To the owner in case of a truckman with two horses and wagon $7.50
(g) To the owner in case of a cartman with one horse and wagon $5.00
(h) To the owner in case of a cartman with two horses and wagon $7.50
(i) To the owner in case of a motor vehicle, as defined in Chapter 113 of the Laws of New Jersey for the year 1906 ..... $10.00
(j) To the driver in case of a separate driver's license additional to the owner's license..... $1.00
(k) To the owner in case of a peddler with one horse and wagon $25.00
(l) To the owner in case of a peddler with hand-cart..... $20.00
(m) To the owner in case of a peddler on foot without wheeled vehicle $15.00

A duly licensed expressman, truckman or cartman may have one assistant for each licensed wagon. A duly licensed peddler with horse and wagon may have one assistant and only one.

In each instance the license fee shall be paid to the City Clerk prior to the issuing of the license, and shall be paid by the City Clerk to the City Treasurer for the use of the city. In addition to the fee for license hereinabove specified, every person or corporation licensed shall prior to receiving his or its license pay to the City Clerk the City Clerk's fee of fifty cents for issuing the license.

Also in addition in each case $1.00 to be deposited with the Chief of Police for badge, said $1.00 to be returned on return of badge.

Sec. 7. That no person licensed under this ordinance nor any person in the employ of any person or corporation licensed under this ordinance, shall stand or remain upon any sidewalk or in any street or any other public place in this city, for the purpose of soliciting custom or selling or exposing for sale any wares or merchandise longer than ten minutes at any one time, if requested to move from any such place by any officer of the city, or by the owner or occupant of any premises in front of or opposite which any such person may then be as aforesaid; but upon such request to move, such person so requested shall move with the vehicle, goods, wares and merchandise in his charge to a point at least 250 feet distant from the point from which he may be requested to move before stopping for the purpose of soliciting custom; and at no time shall any person or

corporation licensed under this ordinance, or any person in the employ of such licensed person or corporation, solicit custom in such way as to obstruct travel or cause annoyance or damage to any person, or solicit custom or proclaim merchandise for sale in a loud or boisterous manner; and at all times any person licensed under this ordinance, or any one in the employ of any person or corporation licensed under this ordinance, shall move from any point in any public place or street at which such person may be awaiting or soliciting custom or selling or exposing for sale any wares and merchandise, when requested so to do by any police officer of the city. And any and every person who or corporation which shall violate any of the provisions of this section shall, on conviction, be punished by a fine not exceeding twenty dollars. **Provided,** that nothing in this section shall be construed to prevent the licensed hackmen, expressmen or truckmen from standing with their vehicles on North avenue for a longer time than ten minutes subject to the other provisions of this ordinance.

Sec. 8. That every person or corporation so licensed with respect to any hack, omnibus, stage, motor vehicle or other vehicle for the transportation of passengers must have a lamp on both sides of each vehicle which must be lighted from one hour after sunset to one hour before sunrise and shall as soon as licensed, cause the number of his or its license to be permanently and conspicuously placed or painted in figures, not less than one inch and a half in height, upon the outside of the lamps on both sides of each vehicle for which said license shall have been granted, and every person so licensed, and the driver of every such vehicle shall wear in a conspicuous place upon his person while engaged in the business for which the license shall have been granted, so as to be easily seen, a badge to be furnished by the city, with the corresponding number thereon, and shall also place and keep fastened within his vehicle in a conspicuous place to be designated by the Chief of Police, a card or plate to be furnished by the city, with the words, "Hack License," and the number of the license and the year for which it was issued, **and also a card or plate to be furnished by the city specifying the rates of fare and other regulations.**

Every expressman, truck man and cartman, as soon as he or it receives a license shall fasten permanently on each side of his or its wagon a plate to be furnished by the city with the words, "Licensed Expressman," "Licensed Truckman," or "Licensed Cartman," as the case may be, with the number of the license and the year and date for which issued, and every such license and every driver therefor shall also wear a badge, which will be furnished by the city, on which the number of the license is plainly displayed. All cartmen licensed for the collection of ashes and other waste material,

shall provide themselves with wagons or carts to be approved by the Street Commissioner and shall sign an agreement to transport and dump and must transport and dump all such material in places designated or to be designated by the Street Commissioner. Any violation of any of the foregoing provisions of this section shall not only subject the party licensed and the driver to the penalty hereinafter provided, but for the second offence, to a revocation of the license.

Every peddler with horse and wagon shall as soon as licensed place on each side of his or its wagon a plate to be furnished by the city, giving the number of his or its license, and the year for which licensed, and every such person, and every person acting on behalf of a corporation so licensed, shall wear on his person in a conspicuous place, a badge to be furnished by the city with the corresponding number. If the wagon or badge is loaned, hired, or allowed to be used by any other person than the person lawfully entitled, that shall constitute an offense under this section, and in addition to the penalty hereinafter provided, shall subject the owner to a revocation of the license.

Every person licensed as a peddler with hand-cart or on foot without wheeled vehicle, and every person acting on behalf of a corporation so licensed, shall wear on his person in a conspicuous place a badge, to be furnished by the city, with the number of the license, and if this badge is loaned or hired or allowed to be used by any other person than the person lawfully entitled to wear it, that shall constitute an offense under this section, and in addition to the penalty hereinafter provided, shall subject the owner to a revocation of the license. Every person or corporation violating any of the provisions of this section of the ordinance, shall, on conviction thereof, be punished by a fine not exceeding twenty dollars for each offence.

Sec. 9. That any license granted under this ordinance may be suspended or revoked by the Mayor or City Judge upon proof to the satisfaction of either that such licensed person, or in case of a corporation, any person acting on its behalf, has been guilty of fraud with respect to making charges against any passenger of passengers, or that the owner or driver of any motor vehicle has practiced fraud with respect to the recording by his taxameter of the distance traveled, or the charges for distance, or has violated any other city ordinance, or without justifiable cause has been disrespectful toward any passenger or toward any person seeking to become a passenger; **provided,** that no license shall be so suspended or revoked without reasonable opportunity first afforded to the licensed person or corporation to be heard on his or its own behalf; and every person or corporation who or which shall during the sus-

pension or after the revocation of his or its license, carry on the business for which such license was granted, shall, on conviction, be punished by a fine not exceeding twenty dollars for each offence.

Sec. 10. That any person or corporation licensed under this ordinance to use for hire or wages any hack, omnibus, stage, motor vehicle or other vehicle for the carriage of passengers, may charge therefor the following rates, but no more, that is to say:

(a) As to all vehicles except "motor vehicles" as defined in chapter 113 of the Laws of New Jersey for the year 1906, for the carriage of any passenger or passengers from any point within to any point within that part of the city included within the following boundaries, that is to say: Beginning at a point where the northeasterly side line of Johnston Avenue produced would intersect Green Brook; thence along said line and the northeasterly side line of Johnston Avenue to North Avenue; thence in the same course in a direct line to the northwesterly side line of South Avenue; thence along said side line of South Avenue to the easterly side line of Woodland Avenue, produced; thence along said line and the easterly line of Woodland Avenue to the southerly side line of Martine Avenue; thence along said side line of Martine Avenue to the easterly side line of Hillside Avenue; thence along said side line of Hillside Avenue to the southerly side line of Randolph Road; thence along said side line of Randolph Road to the southwesterly side line of Plainfield Avenue; thence in a straight line to the intersection of the southwesterly side line of Spooner Avenue with the southeasterly side line of West Eighth Street; thence along said side line of West Eighth Street to the southwesterly side line of Grant Avenue; thence along said side line of Grant Avenue and the southwesterly side line of West End Avenue to the northwesterly city line in Green Brook; thence following the northwesterly city line to the intersection of said city line with the northeasterly side line of Johnston Avenue, produced, the point and place of beginning; twenty-five cents for one passenger carried and fifty cents for two or three passengers carried from the same point to the same destination at the same time and from any point within to any point without the aforesaid limits the sum of fifty cents for one passenger and twenty-five cents for each additional passenger; **provided**, however, that after eleven o'clock at night until five o'clock in the morning, the charges may be double the said fares; and whenever any such hack, omnibus, stage or other vehicle shall be engaged by the hour the person licensed to use for hire or wages any such hack, omnibus, stage or other vehicle may charge one dollar for the first hour and seventy-five cents for each additional hour.

(b) As to all "motor vehicles" as defined in Chapter 113 of the Laws of New Jersey for the year 1906: For any number of pas-

sengers from one to four inclusive, for the first half mile or fraction thereof, thirty cents; for each quarter mile thereafter, ten cents; for each six minutes waiting, ten cents; and for ordering such motor vehicle within one mile and a half from any stand or station to the point ordered at which the passenger or passengers enter said motor vehicle, no charge shall be made; and for ordering such motor vehicle more than a mile and a half from any stand or station to the point at which the passenger or passengers enter said motor vehicle, a charge may be made at the rate of twenty cents for each mile or fraction thereof in excess of one mile and a half; **provided**, that children under ten years of age shall not be counted as passengers if accompanied by older persons.

(c) That any person licensed under this ordinance as Expressman may charge for the delivery of each trunk, bag or other piece of baggage the following rates, but no more, that is to say: From any point within to any point within the boundaries described in paragraph (a), twenty-five cents and from any point within to any point without said boundaries, fifty cents.

That every person or corporation licensed as aforesaid and the driver of every hack, omnibus, stage, motor vehicle, or other vehicle for the carriage of passengers or baggage who shall demand for any service mentioned in this section more than the amount or rate fixed herein for such service shall, on conviction thereof, be punished by a fine not exceeding twenty dollars for the first offence, and by a fine not exceeding twenty dollars and a forfeiture of the license which may have been issued, for any offence subsequent to the first.

Sec. 11. That the first applicant to any person or corporation licensed to drive, keep or use for hire or wages any hack, omnibus, stage, motor vehicle or other vehicle for the transportation of passengers wholly or in part within the limits of the City of Plainfield, shall be entitled to conveyance to any point that the said applicant may desire to reach within the city limits; and any refusal on the part of the driver or owner of such licensed vehicle to comply with the request shall render liable said owner or driver to a fine not exceeding twenty dollars for the first offence, and twenty dollars for a second offence, and twenty dollars and the revocation of the license for a third offence.

Sec. 12. No owner or driver of any hack, omnibus, stage, motor vehicle or other vehicle shall, for the purpose of securing custom, occupy with his vehicle any portion of the street in front of any railroad station or any place of public assemblage or entertainment in such a manner as to obstruct public travel. It shall not be lawful at or near the said railroad stations or at or near any place of public assemblage or entertainment for the owner or driver of

or any person connected with any such vehicle, or any person acting for or in the interest of the owner or driver of any such vehicle, to proceed beyond the curb line for the purpose of soliciting or securing custom, and it shall not be lawful for any such aforesaid person to solicit custom in a noisy, persistent or offensive manner. Any person or corporation violating any of the provisions of this section shall, on conviction thereof, be punished by a fine not exceeding twenty dollars for each offence.

Sec. 13. The Board of Police of the City of Plainfield, with the approval of the Mayor, is hereby authorized to prescribe and promulgate from time to time reasonable regulations, not inconsistent herewith, with respect both to licensed and unlicensed vehicles, to regulate street traffic generally, and particularly to regulate the standing and movement of vehicles at or near the several railroad stations and other places of public assemblage or crowded vehicular traffic. It shall be the duty of all owners and drivers of vehicles to comply with such regulations, and any person who or corporation which shall fail to comply with any of such regulations shall be deemed guilty of violating this section, and, on conviction thereof, shall be subject to a fine not exceeding twenty dollars for each offence. The intention of the Common Council is that this section shall be deemed to be separable from the other sections of this ordinance, and not essential to the validity of said other sections.

Sec. 14. That if any section of this ordinance shall for any reason be held to be unconstitutional or invalid, it shall not affect the other provisions of this ordinance.

Sec. 15. That the Ordinance entitled "An Ordinance to provide for the licensing and regulation of peddlers, hawkers, cartmen, motor vehicles, hack, omnibus, stage and truck owners and drivers," approved March 14, 1882; and ordinances amendatory thereof and supplemental thereto; and the Ordinance entitled "An Ordinance to regulate the standing of hacks, stages, etc.," approved December 16, 1874, and ordinances amendatory thereof and supplemental thereto; and all other ordinances and parts of ordinances inconsistent herewith, be and the same are hereby repealed, and all ordinances and parts of ordinances which were repealed or abrogated by any ordinance hereby repealed shall continue to be so repealed and shall be deemed abrogated.

Approved February 18, 1910; amended by ordinance, approved April 12, 1910.

An Ordinance to Establish and Regulate Public Pounds in Plainfield.

The Inhabitants of the City of Plainfield by their Common Council, do enact as follows:

Section 1. That two pound-keepers shall be appointed annually, to hold office from the time of their appointment until the first Monday of the next succeeding February, or until their successors are appointed.

Sec. 2. The pound-keepers so appointed, (unless provision is otherwise made by the Common Council for a public pound or public pounds), shall each provide a public pound within the city limits, and shall keep a register of all animals impounded in their respective pounds together with the names of the persons impounding them, and an account of all moneys received or paid out by them respectively in connection with such pound, and each of said pound-keepers shall at the expiration of his term of office make a report of his receipts and disbursements to the Common Council. They shall be entitled to receive the like fees which pound-keepers in townships in this state are entitled to receive by the state law for similar services.

Sec. 3. All horses, mules, cattle, swine and goats found running at large within the city limits may be taken by any person to one of the public pounds, whereupon it shall be the duty of the pound-keeper in charge of such pound to receive and confine any such animal or animals until it or they shall be lawfully sold or redeemed.

Sec. 4. If the owner of any animal or animals impounded shall apply to the pound-keeper in charge for the redemption thereof and shall tender him one dollar for each animal impounded, in addition to the legal fees for keeping and feeding the same, then upon receipt of such sum or sums by the pound-keeper, such animal or animals shall be surrendered and delivered to the owner thereof.

Sec. 5. All impounded animals not redeemed by the owner or owners within ten days after they are impounded, shall be sold by the pound-keeper in the same manner and subject to the provisions as to notices and disposition of the proceeds of sale (except that the Clerk of the Common Council shall be substituted for the Clerk of the Township), contained in 12th section of the chapter in relation to fences, of the Revision of the Statutes of the State of New Jersey.

Sec. 6. If any person shall rescue, or attempt to rescue, any animal that shall have been found running at large from the custody of any person who shall be driving or taking the same to the pound, such person or persons so offending shall, upon conviction thereof, be punished by a fine of five dollars for each animal so rescued or attempted to be rescued.

Sec. 7. If any person shall break open, or attempt to break open, any public pound within the limits of this city, or take or let out any animal impounded therein, such person so offending shall, upon conviction, be punished by fine not exceeding twenty dollars for each offence.

Approved December 7, 1881.

An Ordinance to Establish a Board of Health.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That pursuant to the statute in such case made and provided, the Board of Health of the City of Plainfield shall consist of five members who shall be appointed by the Mayor and confirmed by the Common Council. At the next regular meeting of the Common Council after this ordinance shall be of legal effect, the Mayor shall nominate and, subject to the approval of the Common Council, appoint three persons to be members of said Board to hold office until the first Monday of February next, or until the nomination and confirmation of their successors respectively, and two persons to hold office until the first Monday in February in the year eighteen hundred and eighty-nine, or until the nomination and confirmation of their successors respectively. Upon the first Monday in February of each and every year hereafter, the Mayor shall nominate, and subject to the approval of the Common Council, shall appoint the successors of those members whose terms of office regularly expire at that time, to hold office until the first Monday of February of the second year succeeding such appointment, and until their successors are appointed respectively. Vacancies shall be filled in the same manner as above provided, but shall be for the unexpired term only.

Sec. 2. The Board of Health so constituted and appointed shall have all the powers conferred by the general laws in the premises, and in addition thereto, the powers conferred by the City Charter and Ordinances upon the Board of Health of the City of Plainfield.

Sec. 3. That all ordinances inconsistent herewith are to the extent of such inconsistency hereby repealed.

Approved November 8, 1887.

An Ordinance Relating to the Street Commissioner of the City of Plainfield

(As amended.)

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. The Street Commissioner shall before entering upon the duties of his office, execute a bond in the sum of one thousand dollars to the inhabitants of the City of Plainfield, conditioned for the true and faithful performance of all the duties of his office, with at least two sureties, who shall be freeholders, to be approved by the Common Council, and when approved said bond shall be filed with the City Clerk.

Sec. 2. The Street Commissioner shall be the Overseer of the roads, streets and public grounds in the City of Plainfield, under the direction and supervision of the Committee on Streets and Public Health, and it shall be his duty to keep the roadways thereof in repair, and to direct and superintend such work, and it shall also be his duty to detect and discover every nuisance which may exist in the streets of said city and forthwith to remove the same, and to prevent said streets from being improperly obstructed and encumbered and to prevent the maintenance or continuance of any nuisance or anything of an offensive or unwholesome nature within said streets or public grounds.

Sec. 3. The Street Commissioner is hereby authorized to order to be removed any article or thing whatsoever which may encumber or obstruct any of the sidewalks, gutters or streets in violation of this or any other ordinance of this city, and in case the same shall not be removed within twelve hours after notice to that effect has been given to the offender then it shall be lawful for the Street Commissioner to cause the same to be removed to some suitable place.

Sec. 4. The Committee on Streets and Public Health of the Common Council shall have power to direct the Street Commissioner to do any necessary work or repairs on the streets, sidewalks or public grounds without the consent or direction of the Common Council, providing the expense of such work and repairs do not exceed the unexpended sums appropriated by resolution of the Common Council.

Sec. 5. It shall be the duty of the said Street Commissioner under the direction and supervision of the Committee on Streets and Public Health, to attend to the execution of all the ordinances and resolutions of the Common Council for the regulating, grading, paving, or otherwise improving the roadways, sidewalks or public

grounds of this city, and he shall when required by the Common Council, inquire into and report upon all applications before the Common Council in relation to any kind of work to be done in or upon the public streets.

Sec. 6. That it shall be the duty of the Street Commissioner to keep a time book in which shall be recorded the names of persons employed, the character of services rendered, the days or parts thereof so employed and the rate per day allowed, and he shall present to the Common Council on or before the first Monday in each month, a detailed account of all indebtedness incurred by him in the discharge of his duties for the preceding month including a summary of the time book for the same period. The Street Commissioner shall not present for payment any bill for labor employed by him except in cases in which prior to the presentation of such bill, said Street Commissioner shall have actually paid for such labor the amount charged in said bill therefor, and no such bill of the Street Commissioner shall be audited unless it shall be made to appear by affidavit accompanying such bill that with this requirement the Street Commissioner has fully complied.

Sec. 7. All persons who shall obstruct, molest, disturb or in any wise hinder the said Street Commissioner or persons employed by him, in the discharge of any duties mentioned in this ordinance, shall be liable upon conviction thereof to a fine of ten dollars.

Sec. 8. All persons neglecting or refusing to comply with the orders and directions of the Street Commissioner hereinbefore authorized and required under this ordinance shall be liable upon conviction thereof to a fine of five dollars for each and every such offence.

Sec. 9. It shall be the duty of the Street Commissioner to report to the Counsel to the Corporation every infraction of this ordinance or any ordinance relating to the streets, sidewalks or public grounds in said city which shall come to his knowledge.

Sec. 10. The ordinance entitled "An ordinance defining the duties of the Street Commissioner," approved June 8, 1869, and amended March 31, 1874, is hereby repealed.

Original ordinance approved February 28, 1882.

Amended by ordinance, approved December 31, 1887.

(Amendment of October 10, 1899.)

Section 1. That no person shall be eligible to the office of Street Commissioner of the City of Plainfield who is not a duly qualified Civil Engineer, and the incumbent of the office of Street Commissioner shall be ex-officio City Surveyor of said city, and shall perform the duties of said last named office without extra compen-

sation, except where by statute special compensation may be authorized. This ordinance shall apply to the present incumbent of the office of Street Commissioner, who from the date on which this ordinance shall take effect, shall be ex-officio City Surveyor as aforesaid.

Approved October 10, 1899.

An Ordinance Concerning the Storage of Petroleum or Kerosene Oil Within the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person or persons shall store, or keep, or have on hand, or permit to be stored, kept or had on hand at one time, within the City of Plainfield, petroleum or kerosene oil in quantity exceeding two hundred and twenty-five barrels.

Sec. 2. That no person or persons shall store, or keep, or have on hand, or permit to be stored, or kept, or had on hand, at one time within the City of Plainfield, petroleum or kerosene oil in quantity exceeding ten barrels, unless the same shall be contained within a building of one story only above the ground, the outside walls and roof of which building are of brick, stone, iron, slate or other incombustible substance, and unless further there shall be constructed, on the premises adjacent to said building, a substantial wall of masonry, iron or other incombustible substance, which wall shall be of such dimensions, and shall be so placed as to make it impossible, in case the maximum quantity of petroleum or kerosene oil named in section 1 of this ordinance should escape from such building, for any of such petroleum or kerosene oil to flow beyond the said wall.

Sec. 3. That any person or persons, convicted under section 1 or 2 of this ordinance, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding sixty days, or by both such fine and imprisonment.

Sec. 4. That no petroleum or kerosene oil, whether in barrels, casks, tanks, or other vessels, shall be stored or kept upon any sidewalk or roadway of said city, nor shall barrels, casks, tanks, or other vessels that have been used to contain petroleum or kerosene oil be stored or kept upon any sidewalk or roadway of said city; and any persons who shall violate any of the provisions of this section, shall, upon conviction, be punished by a fine not exceeding fifty dollars for each and every offence.

Sec. 5. That upon conviction of any person or persons under any section of this ordinance, it shall be lawful for the chief

engineer of the Plainfield Fire Department to serve a notice, written or printed, or partly printed and partly written, upon the person or persons so convicted, requiring all petroleum or kerosene oil, and all barrels, casks, tanks, or other vessels that have been used to contain the same to be removed from the premises, described in the complaint on which said conviction was obtained, within five days from date of service of such notice, and for every failure to comply with such notice, within said five days from date of service, the person or persons so failing to comply with such notice, shall be deemed guilty of an offence under this section, and upon conviction be punishable by a fine not exceeding one hundred dollars, or imprisonment not exceeding sixty days, or by both such fine and imprisonment.

Approved December 31, 1888.

Amended by ordinance approved March 5, 1889.

An Ordinance to Regulate the Handling of Illuminating Fluids.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That it shall not be lawful for any person or persons keeping for sale kerosene oil or any other kind of illuminating fluid, to draw or permit the same to be drawn from any barrel, cask, can, or other vessel, by artificial light, unless said light be at least fifteen feet distant from the article so drawn.

Sec. 2. That for each offence against the provisions of this ordinance every person or business firm so offending shall, upon conviction thereof, forfeit and pay the penalty of ten dollars.

Approved June 10, 1874.

An Ordinance to Regulate and License Pawnbrokers

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person, corporation, member of co-partnership, or firm, shall hereafter carry on the business of pawnbroker in the City of Plainfield without first having obtained from the Mayor thereof a license authorizing such person, corporation, member of co-partnership, or firm to carry on the same, which license shall designate the house in which such business is to be conducted.

Sec. 2. That any person, corporation, member of co-partnership, or firm receiving such license shall pay to the City therefor the

sum of fifty dollars, and every such license shall expire one year from the date of its issuance, and may be renewed upon payment of the license fee and compliance with the other requirements of the laws of the State and the ordinances of the City of Plainfield in the premises.

Sec. 3. That before said license shall be issued, the party applying for the license shall execute a bond to the inhabitants of the City of Plainfield in the penal sum of two thousand dollars, with condition prescribed in the act entitled, "An act to regulate and license pawnbrokers," approved March 29, 1887.

Sec. 4. That any person or persons, or corporation, who shall violate the provisions of the act referred to in Section 3 of this ordinance, shall be liable to the penalties in said act provided, namely, for violation of the provisions of the first section of said act, the penalty of one hundred dollars, for each and every day of the continuance of said violation, and for the violation of either or any of the other sections, and provisions of said act, a fine of fifty dollars.

Approved December 3, 1890.

An Ordinance to Establish, Regulate and Control a Fire Department in the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the Fire Department of the City of Plainfield shall consist of one Chief Engineer, a First and Second Assistant Engineers, and as many permanent men as the Common Council may from time to time designate to act as Drivers, Tillermen and Hosemen; also one Engineer of Steamer, and six Call Men for each hose or hook and ladder company that may be organized under this ordinance to act as hosemen and laddermen and to perform such other duties as shall be required of them at a fire by their superior officers.

The following companies shall be organized immediately upon this ordinance taking effect as law:

Hose Company, No. 1.
Hose Company, No. 2.
Hose Company, No. 3.
Hook and Ladder Company, No. 1.
Engine Company, No. 1.

and other similar companies may thereafter be organized as the Common Council may from time to time deem necessary, and order, either by resolution or by ordinance.

Sec. 2. All members now employed in the Fire Department at stated salaries shall be retained and form a part of and be included in the employees enumerated above and continue in service as such, and shall be subject to all rules and regulations adopted by the Board of Engineers and to the provisions of this ordinance to the same extent as new appointees.

Sec. 3. The Chief Engineer shall be the Fire Marshal and Fire Inspector of the City of Plainfield, and shall perform such duties as shall devolve upon him as such by the laws of the State, and the ordinance of the City of Plainfield. He shall keep an accurate record of the names of the officers and members of the Department and all appointments and transfers, resignations and removals of firemen as the same shall take place from time to time, and such other particulars as may be necessary and proper. He shall have sole and entire command of fires and alarms of fire over all members of the Department, apparatus and appurtenances belonging to the same, and all other persons aiding and assisting the Department at fires. In addition to performing his duties as Building Inspector he shall devote his whole time to the service of the Department, and shall report the condition of the Department to the Committee on Fire and Buildings as often as they shall request. He shall order the different fire companies out to work, wash, drill or for inspection, at such time and place as he may designate, and whenever he may deem it necessary for the efficiency of the Department. In the absence or disability of the Chief Engineer, the First Assistant, and in the absence of both the Chief and First Assistant, the Second Assistant shall assume command and perform the duties of the Chief.

Sec. 4. The Chief and Assistant Engineer shall constitute and be called the "Board of Engineers." They shall make such rules and regulations for conducting the Department not inconsistent with the laws of the State or ordinances of the city, as they may deem advisable, subject to approval by the Common Council.

Sec. 5. The Chief Engineer and the Assistant Engineers shall be nominated by the Mayor and confirmed by the Council in the same manner as other city officers, and they and drivers, laddermen and hosemen, after confirmation, shall hold their offices and continue in service as such during good behavior, efficiency and residence in the city, and shall not be removed from office or employment for political reasons or any other cause than incapacity, misconduct, non-residence, or disobedience of just rules and regulations which are or may be established for the government of the Department.

Sec. 6. The Chief Engineer or Acting Chief shall be responsible for the property of the Department. He shall see that the steam and chemical engines, hose wagons, trucks, hose and horses,

and all other property belonging to the Department are kept constantly in order for immediate and efficient service, and shall report immediately any repairs that may be necessary to the property in his charge to the Committee on Fire and Buildings.

Sec. 7. Persons to be eligible to membership in the Department must be citizens of the United States, of good moral character, and able to read and write the English language. They shall be in good health, sound in body and mind, and capable of performing the duties required of them. (In case of permanent employees, they must be certified to by the City Physician that they are physically capable of performing the duties required of them). They must be nominated by the Mayor, recommended by the Board of Engineers and confirmed by the Common Council, and before entering upon their duties as members of the Department they shall sign an agreement, to be deposited with the Chief Engineer, that they shall abide by and conform to the ordinance and such rules governing the same which may be approved by the Common Council. All applications for membership shall be made in the handwriting of the applicant, who shall present the same in person to the Mayor, the Committee on Fire and Buildings or the Board of Engineers.

Sec. 8. The pay of the force is hereby fixed as follows, the said rates to take effect from the first day of January, 1911:

Chief Engineer.....$1,350 per annum
First Assistant Engineer..... 1,200 per annum
Captains ..... 1,140 per annum
Engineer of Steamer..... 82.50 per annum

Drivers, Tillermen and Hosemen shall be divided into five classes according to their respective terms of service as follows:

Class A—Fifth year of service and over.
Class B—Fourth year of service.
Class C—Third year of service.
Class D—Second year of service.
Class E—First year of service.

Provided, That the Common Council upon recommendation of the Mayor may advance any regular Firemen, Drivers, Tillermen or Hosemen from a lower to a higher class for especially good work or meritorious service, whether he shall have served his full time, specified above or not.

That from the first day of January, 1911, the salaries of the Drivers, Tillermen and Hosemen or other regular appointed Firemen shall be as follows, according to their class:

Class A.....$1,000 per annum
Class B.....$960 per annum
Class C.....$924 per annum

Class D.....$792 per annum
Class E.....$720 per annum

The members of the Fire Department known and designated as "Call Men" shall perform at least ninety per cent. of duty at all fires or alarms of fires in each year; and such members shall receive as compensation, the sum of fifty-five dollars per annum, payable in two semi-annual payments of twenty-seven dollars and fifty cents for each of the six months ending June 30th and December 31st in each year, except that when a Call Man shall act as Captain of Hook and Ladder Company No. 1, he shall receive one hundred dollars per annum, payable semi-annually, and when any Call Man shall act as Engineer of Steamer, he shall receive eighty-two dollars and fifty cents per annum, payable semi-annually, but no salary shall be paid to a Call Man until he shall have signed a stipulation that he will render service as contemplated in this section.

The salaries of Drivers and Tillermen shall be as follows according to class:

First Class, Sixty Dollars per month.
Second Class, Fifty-five Dollars per month.
Third Class, Fifty Dollars per month.
Fourth Class, Forty Dollars per month.

(Sec. 9 repealed by ordinance approved March 24, 1911).

Sec. 10. Captains of Companies shall be appointed from members thereof by the Chief Engineer, subject to the approval of the Committee on Fire and Buildings and confirmed by the Common Council; they shall have command and control of their companies and all members shall obey their orders implicitly. They shall see that the apparatus in their care, and the building in which the same is deposited, and all articles in or belonging to the same are kept clean and in order for immediate use. They shall preserve order and discipline at all times in their respective companies, and enforce a strict compliance of the rules and regulations of the Department and the orders of the Chief Engineer.

Sec. 11. The Call Men of the several companies shall, upon an alarm of fire from the section of the City to which they are assigned to duty, proceed promptly to the place of the fire, and perform any duty that may be required of them. They shall remain on duty until relieved by order, which shall be given only by the officer in command. They shall, when on duty at fires, wear the regulation fire hat or badge.

Sec. 12. Upon going to or returning from an alarm of fire, in no case shall persons not members of the Department be allowed to ride on any apparatus of the Department.

Sec. 13. All Call Men will be regarded as part of the working force, and may be used by the officer in command at fires as he may deem proper. And they will be required to perform at least ninety per cent. of duty per annum. Any driver of an engine, hose wagon, hook and ladder truck or supply wagon, driving over a line of hose, unless it cannot be avoided, shall be subject to dismissal. If any permanent member refuses or neglects to pay any just debt contracted for the necessaries of life during his connection with the Department, or assigns his pay, it shall be deemed sufficient cause for his suspension or dismissal. Any officer or member making a false report of a member of the Department, either concerning personal character or conduct, to the discredit or detriment of any member, or any officer making a false record in the journal, shall be liable to dismissal. No permanent officer or permanent member of the Department shall attend a caucus or political convention as a delegate, distribute tickets at any election or take any part whatever in political matters other than to exercise the right of suffrage. All members of the Department must address officers by their respective titles. Any officer or member having business with the Committee on Fire and Buildings shall transact the same through the Chief Engineer. No subscriptions, paper or books shall be circulated under the auspices of any company for the purpose of collecting money from citizens without the consent of the Committee on Fire and Buildings. Should any member become disabled or sick while in the faithful performance of duty, he shall be entitled to such pay as the Committee on Fire and Buildings shall deem proper.

Sec. 14. Any member of the Fire Department who shall upon trial be found guilty of violating any of the ordinances or rules and regulations governing the Fire Department, shall in the discretion of the Common Council be subject to censure, reprimand, forfeiture of pay, or discharge from the service.

Sec. 15. Firemen at call will be required to attend every fire or alarm of fire in their district. Any officer or member absent, except in case of sickness or death in the family, or out of the city with permission, will be fined the sum of one dollar ($1.00). Call Men who shall have performed seventy-five per cent. of fire duty in the company of which he is a member shall have all fire fines refunded him that may have been charged against him during the year. No member of the force shall loan the Department Badge under the penalty of dismissal, and any member losing his badge shall purchase one at his own expense.

Sec. 16. All complaints by the Chief Engineer or Assistant Engineers against any fireman or firemen for misconduct or neglect

in the performance of his or their duties, shall be forthwith reported to the Committee on Fire and Buildings.

Sec. 17. All complaints made by citizens or persons of good repute to the Mayor or any member of the Common Council against any fireman or firemen for misconduct or neglect in the performance of his or their duties, shall be forthwith reported to the Committee on Fire and Buildings.

Sec. 18. No intoxicating beverage of any description whatsoever shall be allowed on the premises of the Fire Department. Any member of the Fire Department intoxicated while on duty shall be deprived of his badge and suspended for six months or dismissed, at the option of the Common Council.

Sec. 19. No person or persons except officers and members of the Department shall at any time enter the houses of the Department, except the Mayor of the City, members of the Common Council, and visitors accompanied by members, or any police officer in the proper discharge of his duty, and no boys shall be permitted in any house of the Department, or to have any access whatever to the apparatus in going to or returning from fires or alarms. The foremen are hereby enjoined to enforce the provisions of this section.

Sec. 20. No person shall enter any engine, hook and ladder or hose house in the city with intent to injure the same or the fire engine or other apparatus contained therein, or injure or mutilate at any time or place any fire engine or other apparatus, or any public cisterns, fire wells, hydrants, or fire plugs, or draw water therefrom for any purpose, except when properly engaged in examining their condition, or for the use of the fire engines belonging to or controlled by the city, and any person violating any of the provisions of this section, shall on conviction, be punished by a fine of not less than Five or more than Twenty Dollars for each offence, and shall furthermore be liable for all damages or injury done.

Sec. 21. No person shall during a fire drive a wagon, cart or other vehicle over any hose or other fire apparatus, under penalty of Ten Dollars for each offence.

Sec. 22. No person shall wilfully hinder or molest or attempt to do any violence to any officer or member of the Fire Department or other city officer while in the performance of his duty at a fire, or in going to or returning from a fire or alarm of fire, in charge of any fire engine or other apparatus, under penalty of Ten Dollars for each offence.

Sec. 23. No person or persons shall raise, create or continue a false alarm of fire under penalty of Ten Dollars for each offence.

Sec. 24. No person or persons shall for any purpose take or

cause to be taken beyond the corporate limits of the city any of the apparatus of the Fire Department, except by consent of the Mayor or Common Council, or in accordance with the rules and regulations of the Board of Engineers.

Sec. 25. It shall be the duty of the Common Council to provide for fuel, lights and other necessary expenses for the maintenance of the Fire Department and to keep the houses and fire apparatus in proper condition and repair. No supplies shall be ordered or expenses incurred under this section without the written order of the Chief Engineer or one of the Assistant Engineers, in the absence or inability of the Chief Engineer, and no bill shall be presented to the Common Council until the same shall be certified by one of the Engineers to be correct.

Sec. 26. Any member of the Fire Department who shall violate any of the foregoing sections of this ordinance, to which no penalty is attached, or shall be guilty of any riotous or disorderly conduct when on duty, shall be liable to be removed as a fireman.

Sec. 27. That upon the organization of the several companies hereinafter mentioned, and until the further order of the Common Council, the said companies shall, severally, take possession of the Fire Department apparatus and other property of the city used in connection therewith, as follows:

Hose Company No. 1 shall forthwith take possession of that now in possession of Gazelle Engine Company No. 1.

Hose Company No. 2 shall forthwith take possession of that now in possession of Plainfield Engine Company No. 2.

Hose Company No. 3 shall forthwith take possession of that now in possession of Alert Hose Company.

Hook and Ladder Company No. 1 shall forthwith take possession of that now in possession of Zephyr Hook and Ladder Company and

Engine Company No. 1 shall forthwith take possession of the Chemical Engine and appurtenances, but the Common Council may from time to time, by resolution, make such changes or other regulations respecting the possession and management of the apparatus and other property of the city used for the Fire Department purposes as said Common Council may deem expedient.

Sec. 28. That the ordinance entitled "An ordinance to establish, regulate and control a fire department in the City of Plainfield," approved April 3rd, 1888, and amended by ordinance approved June 5th, 1888, and all other ordinances and parts of ordinances inconsistent herewith be and the same are hereby repealed.

Approved May 6, 1899. Amended by ordinances approved Oct. 5, 1903, Dec. 28, 1906, April 6, 1908, March 24, 1911, May 5, 1911.

An Ordinance to Abolish the Office of Veterinary Surgeon of the Fire Department of the City of Plainfield.

Whereas, It is the sense of the Common Council that the public interests require that the office of Veterinary Surgeon of the Fire Department of the City of Plainfield should be abolished; therefore

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the office of Veterinary Surgeon of the Fire Department of the City of Plainfield be and the same is hereby abolished.

Sec. 2. That all ordinances and parts of ordinances inconsistent herewith be and the same are hereby repealed.

Approved March 24, 1911.

An Ordinance to License Inns and Taverns and to Regulate and Prohibit the Sale of Spirituous and Fermented Liquors.

(As Amended).

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. All applications for license to keep an inn and tavern within said city shall be in writing, addressed to the Common Council, shall be signed by the person or persons desiring such license, shall state the purpose for which a license is asked, and the place wherein such business is proposed to be carried on, and a certificate shall be annexed thereto, signed by at least ten reputable citizens and freeholders of said city (three of whom shall reside within one thousand feet of the place proposed for license, and all of whom shall be residents of the same ward in which the business is to be carried on), who have not within one year theretofore signed any similar certificate, stating that the applicant is known to be of good repute for honesty and temperance, and provided with at least two spare rooms with beds, bedding and furniture more than are necessary for the use of applicant's family.

Sec. 2. Before any person or persons shall receive a license to keep an inn or tavern within said city, such person or persons shall become bound by recognizance in writing to the "Inhabitants of the City of Plainfield" in the sum of one hundred dollars as principal, with two sufficient sureties, being freeholders within said city, in the sum of fifty dollars each, to be taken before the City Judge

in or out of court, with condition following, to wit: The condition of this recognizance is such that whereas, the above bounden A. B. is licensed by the Common Council of said City of Plainfield to keep an inn and tavern within said city until the first day of March next ensuing the date hereof, if therefore the said A. B. during the continuance of the said license shall not keep a disorderly inn and tavern, nor game himself, nor suffer any person to game in said inn and tavern for money or the value of money, nor violate the laws made concerning inns and taverns, but shall during the said term in all things respecting him as an inn-holder and tavern-keeper, use and maintain good order and rule, and find and provide good, wholesome and sufficient lodging, diet and entertainment for man, and stabling and provender for horse, and observe the directions of the law relating to inns and taverns, then this recognizance to be void, or else to remain in full force and virtue.

Sec. 3. Every inn and tavern-keeper licensed under the provisions of the foregoing sections, shall be liable to the same conditions, requirements and restrictions as are imposed upon inn and tavern-keepers under the general law of the state; **provided,** that no such license shall be taken or construed as authorizing the sale, by such inn and tavern-keeper, of any spirituous or fermented liquors.

Sec. 4. That license may be granted to any person duly licensed to keep an inn and tavern in said city to sell spirituous and fermented liquors in his inn and tavern; all applications for such license shall be in writing addressed to the Common Council, signed by the applicant, setting forth the purpose for which such license is asked, and the inn and tavern wherein such business is purposed to be carried on, and such application shall have a certificate annexed thereto, signed by at least ten reputable citizens and freeholders of said city (three of whom reside within one thousand feet of the said inn and tavern), and all of whom shall be residents of the same ward in which the business is to be carried on, stating that the applicant is known to them to be of good repute and honesty and temperance, and thereupon the said Common Council may, in their discretion, grant such license; **provided,** that the said certificate may be signed by the same citizens and freeholders as have already signed the certificate required to be annexed to his application for license to keep an inn and tavern; and **provided further**, that before any license is granted to sell spirituous and fermented liquors as provided for by the ordinance, the Clerk of the Common Council shall have caused or shall cause to be inserted in each official newspaper in the city, within ten days after such application was or is made, a notice in the following form, with the blank spaces properly filled in, to wit:

Plainfield, N. J.....1...

Notice is hereby given, that.....has applied to the Common Council of the City of Plainfield, for a license to sell spirituous and fermented liquors at No.....street, which application is signed by....., citizens and freeholders. All persons knowing of any reasons why such license should not be granted, are requested to make known the same in writing, to the City Clerk, on or before the.....day of....., 1..., ... The expense of publishing such notice shall be added to the fee required to be paid and shall be paid by the applicant for such license, before receiving such license; and all communications which may be received by the City Clerk in response to any such request, shall be by him immediately delivered to the Committee on Licenses of the Common Council, if there be such committee, or if not, to the Common Council.

Sec. 5. That saloon-keepers and persons other than inn and tavern-keepers may, in the discretion of the Common Council, be licensed under this ordinance to sell spirituous and fermented liquors within said city. All applications for such license shall be in writing, and made as required by the next preceding section in the case of inn and tavern-keepers, and the owner of the place proposed for license (if the applicant be not the owner) must be one of the signers to the certificate required to be annexed to the application. Such certificate shall be signed only by reputable citizens and freeholders of said city, who have not within one year theretofore signed any similar certificate. In every certificate annexed to applications for license to sell spirituous and fermented liquors within said city, whether by inn and tavern-keepers, saloon-keepers or other persons, every freeholder recommending the granting of such license shall clearly designate the street in which he lives, and what part thereof he lives, and also the location and nature of, and his interest in, the real property by virtue of the ownership of which he shall sign such certificate. And further every such freeholder shall make affidavit to be annexed to said certificate, and application for license, in which affidavit he shall set forth the street in which he lives, and in what part thereof he lives, and also the location and nature of, and his interest in the real property, by virtue of the ownership of which he shall have signed such certificate, and, how he acquired said real property, and if it was by deed he shall state the date of the deed and the book and page of the record thereof in the County Clerk's office, and if it was by devise, he shall state the date of the will and the place and book and page of the public record of such will, and if it was by descent, he shall state the name, and time and place of the death of the last ancestor from

whom the land descended to said freeholder. And no license whatever shall be granted unless the application therefor and the certificate and affidavits thereto annexed shall be in compliance with all the requirements under this ordinance. No person shall be deemed competent to sign the certificate first referred to in this section who shall within one year theretofore, have signed a certificate annexed to any application for license to keep an inn and tavern, or to sell spirituous and fermented liquors therein, and no woman, and no man who from illiteracy is unable to read and write the English language, shall be deemed competent to sign any of the certificates required by this ordinance, or any part thereof, except in the case of the owner of the place proposed for license when under this ordinance such owner's signature is made necessary, nor shall any woman be deemed competent to receive a license under this ordinance.

Sec. 6. That before receiving any license provided in the last preceding section, the person licensed shall become bound by recognizance in writing to the inhabitants of the City of Plainfield in the sum of two hundred dollars as principal, with two sufficient sureties in the sum of one hundred dollars each, conditioned as follows, to wit: The condition of this recognizance is such that whereas the above bounden A. B. is licensed to sell spirituous and fermented liquors at..... on.....street, in the City of Plainfield, until the first day of March next ensuing the date hereof, if therefore the said A. B. during the continuance of said license shall not keep a disorderly house, nor game himself, nor suffer any person to game in said house for money or the value of money, nor violate any of the provisions of this ordinance, or the ordinances of said city made or to be made concerning the business whereunto the said A. B. is licensed as aforesaid, but shall in all things during the continuance of said license keep and maintain good order and rule in his said place of business, and in all things comply with and observe the provisions of the ordinances of said city now made and to be made concerning such business, then this recognizance to be void, else to be and remain in full force and virtue.

Sec. 7. Licenses to sell spirituous, vinous, malt or brewed liquors in any quantity from one quart to five gallons may be granted under this ordinance, upon the applicant presenting to the Common Council written application therefor, signed by such applicant and setting forth the purpose for which such license is asked, and the place in which the applicant proposes to conduct his business, accompanied by a certificate recommending the applicant to be a fit and suitable person to be licensed, signed by at least

five freeholders in and residents of the City of Plainfield, three of whom reside in the same ward in which said proposed place of business is situated and within one thousand feet of said proposed place of business of said applicant; but no such license shall be taken or construed to authorize any such licensed person to suffer or permit any of said liquors, sold under and in pursuance of such license, to be drunk on or about the premises where sold; and no person or corporation licensed under any other section of this ordinance but not licensed under this section shall sell, or offer or expose for sale, any of the liquors aforesaid in any quantity to persons or families in dwellings, or any of the liquors aforesaid in quantities from one quart to five gallons to any persons or corporations, under a penalty of a fine not exceeding twenty dollars for each offense. That every licensed person engaged in furnishing or supplying liquors to persons or families in dwellings, shall carry with him while so engaged the license for inspection, under the penalty of five dollars for every neglect so to do; and when the licensee shall find it necessary in the prosecution of his business to use more than one vehicle for the delivery of spirituous, vinous, malt and brewed liquors, or any of them theretofore ordered from such license at his place of business, the City Clerk shall issue to such licensee a certificate for every additional vehicle, which certificate shall be carried by the driver of such vehicle for inspection, under the penalty of five dollars for every neglect so to do. The City Clerk shall demand such evidence as he may deem necessary before issuing any certificate. That the loan of any certificate aforesaid to any person not authorized to use the same shall subject the offender to the penalty of a revocation of the license under which the certificate is issued.

Sec. 8. If any person licensed under this ordinance shall be convicted of being drunk in his own licensed place of business, such person may be fined in any sum not exceeding twenty dollars; and such conviction shall be sufficient cause for the revocation of such license by the Common Council.

Sec. 9. No person or persons licensed under this ordinance shall permit any drunkenness, riot or other disorderly conduct in his, her or their licensed place of business, or on his, her or their premises; and any person offending against the provisions of this section shall, upon conviction thereof before the City Judge be fined, for the first offence, in any sum not exceeding twenty dollars, and for each subsequent offence in any sum not exceeding one hundred dollars.

Sec. 10. Every person licensed under this ordinance shall, within one month from date of the license, put up or fix a sign on the front of the place licensed, with his, her or the firm's (if it

be a firm) name thereon; and shall keep such sign up during the whole period of the license; and shall also cause the said license to be properly framed and hung up to public view in the public room of the place licensed.

Sec. 11. If any person or persons not licensed according to the provisions of this ordinance shall expose for sale, sell or dispose of, or cause or permit to be exposed for sale, sold or disposed of, directly or indirectly, within said city, any spirituous or fermented liquors, or any composition of which spirituous or fermented liquors shall form a part (except such as shall be compounded and intended for use as medicine) such person or persons shall be deemed guilty of an offence, and upon conviction thereof before the City Judge shall be fined in any sum not exceeding twenty dollars for each offence; **provided,** that said prosecution shall be begun within six months from the date of the commission of such offence; and **provided further,** that nothing in this ordinance shall be construed to apply to druggists filling prescriptions from practicing physicians, or to prohibit any person from selling metheglin, currant or other native wine made by the seller.

Sec. 12. No person or persons licensed under this ordinance shall carry on the business or trade for which such license was granted in any other place than that designated in said license, nor shall such license be assigned or transferred, nor shall such licensed person or persons assume to give authority or permission to any other person or persons to carry on such licensed business, but such license as to any and all other persons and places than those named therein shall be void, and any person or persons who in disregard of the prohibitions of this section shall carry on any such business under a license so assigned or transferred, or under an authority or permission thus given, shall be liable to the same penalties as may be inflicted upon persons selling without license.

Sec. 13. No person or persons licensed under this ordinance shall, between the hours of eleven o'clock at night and six o'clock the following morning or upon the first day of the week, commonly called Sunday, sell or offer, or expose for sale or furnish, or permit to be sold, offered or exposed for sale or furnished to any person or persons, any spirituous or fermented liquors of any kind or any composition thereof, or at any time sell, offer or expose for sale, or furnish or permit to be offered or exposed for sale, sold or furnished any of such liquors or any compound thereof, to any minor, intoxicated or weak-minded person, nor shall such licensed person or persons at any time incite, encourage or permit any game or device to be played, practiced or carried on within such licensed place, or in any shed, out-house or other place in the occupancy of

such licensed person (billiards or nine-pins, if named in such license, alone excepted), or any betting or gaming for money or anything of any value whatever; and any person convicted of a violation of any of the provisions of this section shall be fined in any sum not exceeding one hundred dollars, or imprisoned for any term not exceeding sixty days, either or both, in the discretion of the court.

Sec. 14. All prosecutions under this ordinance shall be by affidavit or information filed before the City Judge, and in all cases where said prosecution shall be for the offering for sale, selling or exposing for sale or otherwise disposing of any spirituous or fermented liquors, it shall be sufficient in such affidavit or information to describe such liquors as spirituous or fermented liquors, as the case may be, without specifying particularly the kind or description thereof, and evidence may be given upon the trial of the sale, offering for sale or otherwise disposing of any particular kind of liquor included in the general description so given. All such information shall be brought by the Corporation Counsel in the name of "The Treasurer of the City of Plainfield." And whenever a fine shall be imposed and collected for violation of any of the provisions of this ordinance, one-half of such fine shall be paid to the person making the complaint upon which the conviction for such violation shall have been had, and the other half thereof shall be paid to the City Treasurer for the use of the city.

Sec. 15. In all cases of the prosecution of any person licensed under this ordinance for any offence against any of the provisions thereof, it shall be the duty of the Judge, upon conviction of such licensed person, to declare his recognizance forfeited.

Sec. 16. All licenses under this ordinance shall be granted by resolution of the Common Council, be made out by the City Clerk, signed by the Mayor, issued under the common seal of the city, attested by the City Clerk, and shall continue in force until the first day of March next after the date of such license, and no longer, **provided**, that any person duly licensed to keep an inn and tavern may be granted license to sell spirituous and fermented liquors in his said inn and tavern for the six months beginning May first and ending November first of the year in which said license is granted, and such license shall expire on the said first day of November, and that all licenses shall be subjected to be revoked any time by resolution of the Common Council for a violation or neglect of any of the provisions of this ordinance or of any other ordinance which the Common Council may pass relative to the business authorized by such license, and it shall be the duty of the City Clerk to furnish immediately to the person or persons whose

license shall be so revoked a copy of such resolution, and any person acting under such license, after notice of the revocation thereof, shall be liable to all the penalties imposed by this ordinance as fully as though no such license had ever been issued. Before receiving such a license the applicant shall be required to sign in duplicate a stipulation to be written, printed or stamped, both on the face of said license and on the stub to which the same is attached as follows: "I hereby agree to be bound by and to conform to all the ordinances of the City of Plainfield, under which this license is granted, under penalty of forfeiture of this license."

Sec. 17. Before receiving a license issued under this ordinance, the licensed person or persons shall pay the following fees: To the Mayor and City Clerk each one dollar, and in addition the following fees, viz: For each license to an inn and tavern-keeper to sell spirituous or fermented liquors, the sum of one thousand dollars ($1,000) when said license is to expire on the first day of March, following, the sum of four hundred dollars when said license is to expire on the first day of November following, **provided,** that persons licensed to keep an inn and tavern without the privilege of selling spirituous and fermented liquors, shall not be required to pay any fees except those to the Mayor and City Clerk. For each license to a person other than an inn and tavern-keeper to sell spirituous and fermented liquors the sum of one thousand dollars ($1,000). For each license to sell spirituous, vinous, malt or brewed liquors in any quantity from one quart to five gallons, as provided in section seven (7) of said ordinance (one place only to be included in each license) the sum of Eight Hundred Dollars ($800), **provided,** that all license fees under this ordinance, other than those to the Mayor and City Clerk, shall be paid to the City Treasurer and his receipt shown to the Mayor before such license shall issue; and **provided further,** that no such license shall be of any validity whatever, until such license fees are in fact paid to the City Treasurer; and on failure to pay any such fees within twenty days from the time the Common Council shall have granted any such application for license the said action of said Common Council shall no longer authorize the issuance of a license under said application to the person failing to pay as aforesaid, unless the Common Council at the first meeting following the expiration of said twenty days shall so direct.

Sec. 18. The City Clerk shall keep a correct list of all licenses issued under this ordinance in a book to be provided for that purpose, in which shall be entered the name of the licensed person or persons, the business for which said license has been given, and the names of the freeholders and citizens certifying to the application for such license; which book shall, at all rea-

sonable times, be open to the inspection of any citizen of said city desiring to examine the same.

Sec. 19. No person licensed under this ordinance shall keep open or cause or permit to be kept open his bar-room or room in which spirituous or fermented liquors are customarily sold or permit persons to congregate there in between the hours of eleven o'clock at night and six o'clock of the following morning, and any person convicted of violating this section shall be liable to a fine of one hundred dollars or imprisonment for a term not exceeding sixty days or both.

Sec. 20. That no person licensed to sell spirituous or fermented liquors shall suffer or permit in his bar-room or any other room in which spirituous or fermented liquors are sold by him, or in any adjoining room connected therewith, any musical performance of any kind, vocal or instrumental, or both, or any mechanical music, or any acting, dancing, juggling, sleight of hand, boxing, wrestling, or any similar performance, show or exhibition.

Sec. 21. Every person licensed to sell spirituous or fermented liquors shall so arrange the doors, windows and partitions of his bar-room or saloon that a full and unobstructed view of the interior thereof, including the bar, may be had from the street through the doors or windows, or both, between the hours of 11 P. M. each and every Saturday, and 6 A. M. the following Monday. And no window, blind, screen, partition, curtain or other article shall be so left or placed as to prevent between the hours named the full and unobstructed view from the street of the interior of said saloon or bar-room.

Sec. 22. No person licensed to sell spirituous or fermented liquors shall at any time sell or dispose of spirituous or fermented liquors from any bar that cannot, between the hours named in Section 21, be plainly seen from the streets.

Sec. 23. Every violation of any of the provisions of the three next preceding sections of this ordinance shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding sixty days or both, at the discretion of the court.

Sec. 24. That all ordinances and parts of ordinances inconsistent herewith be and the same are hereby repealed; **provided**, that no offence committed and no liability or penalty incurred previous to the time when this ordinance shall go into effect shall be discharged or affected by anything in this ordinance contained; and all proceedings and prosecution for such offences, liabilities and penalties shall be instituted or proceeded with as the case may be in all respects as if this ordinance had not been adopted.

Sec. 25. That any license heretofore granted and now in force,

or that may hereafter be granted, under the provisions of this ordinance, may, at the discretion of the Common Council, be renewed by the Common Council for the period of one year from date of the expiration thereof, upon application of the licensed person or persons respectively, and it shall not be requisite in order to such renewal that the application therefore shall have annexed thereto any certificate of citizens or freeholders or any affidavit or affidavits; **provided,** that such applicant for renewal of license shall not have been theretofore convicted of violating any of the ordinances of the City of Plainfield, or any of the laws of this State; **and provided further,** that before receiving any renewal of license as herein contemplated, the applicant shall enter into recognizance in the same manner as if said license was applied for or granted under the appropriate foregoing section of said ordinance.

Sec. 26. That upon petition of any person duly licensed under this ordinance, or his legal representative, the Common Council may, pursuant to Chapter CLXXIX of the public laws of New Jersey for the year 1892, permit a transfer of the license held by such applicant to another person to be named in such application, to be designated in said application, upon the payment of a transfer fee hereby fixed at the sum of Twenty-five Dollars in each case.

Sec. 27. That in order to enable the Common Council more effectively to regulate the sale of spirituous and fermented liquors within said city as they deem most conducive to the public good, the place in which any applicant for license to sell spirituous and fermented liquors, or for license to sell spirituous, vinous, malt or brewed liquors, under any of the preceding sections of this ordinance proposes to carry on his business under such license, is hereby required to be accurately set forth in the application for such license, and to be within the territory comprised within the following boundary lines, to wit:

Beginning at a point in the city line at Green brook distant one hundred and fifty (150) feet northeasterly from the center line of Watchung avenue; thence running southwesterly along said city line to the center line of Grove street; thence southeasterly along the center line of Grove street to the center line of West Front street; thence southwesterly along the center line of West Front street to a point distant one hundred and fifty (150) feet southwesterly from the center line of Central avenue; thence southeasterly in a course drawn parallel with the center line of Central avenue distant one hundred and fifty (150) feet southwesterly therefrom to the tracks of the main stem of the Central Railroad of New Jersey as the same now lies; thence northeasterly along said tracks to a point on said tracks distant one hundred and fifty (150) feet

southwesterly from the center line of Park avenue; thence southeasterly in a course drawn parallel with the center line of Park avenue and distant one hundred and fifty (150) feet southwesterly therefrom to a point in said course distant one hundred and fifty (150) feet southeasterly from the center line of West Fourth street; thence northeasterly in a course drawn parallel with the center line of West Fourth street and East Fourth street and distant one hundred and fifty (150) feet southeasterly therefrom to a point in said course and the projection thereof distant one hundred and fifty (150) feet northeasterly from the center line of Watchung avenue; thence northwesterly in a straight line to the point of beginning.

Provided, nevertheless, that the foregoing provisions of this section shall not prevent the granting of any renewal of any license lawfully in force at the time this section takes effect to the same person who shall have been the lawful holder of such licence continuously from that time to the time of such renewal.

Supplement approved May 23, 1901.

Section 1. That license, to be known as special hotel license, may be granted to any person duly licensed to keep an inn and tavern in said city, to sell spirituous and fermented liquors to guests at their meals served between the hours of 6 o'clock a. m. and 11 o'clock p. m., in the regular dining room of said inn and tavern, in connection with and as part of such meals and in no other manner and at no other time or place. All applications for such license shall be in writing, addressed to the Common Council, signed by the applicant, setting forth the purpose for which such license is asked and the location of the dining room wherein said spirituous and fermented liquors are proposed to be furnished to guests as aforesaid, and the hours for regular meals, and such application shall have annexed thereto a certificate similar to that required by section 4 or section 25 of the ordinance to which this is a supplement. Said license shall expire on the first day of March following the granting of such license, and the fee to be paid therefor shall be the sum of One Hundred Dollars, in addition to the fee of One Dollar to the Mayor and One Dollar to the City Clerk.

Sec. 2. That no person or persons licensed under section 1 of this ordinance, shall keep a bar-room, or bar, or expose for sale, sell or dispose, or permit to be exposed for sale, sold or disposed of, directly or indirectly, any spirituous or fermented liquors, or any composition of which spirituous or fermented liquors shall form a part, at any place other than the regular dining room of his inn and tavern specified in the application for such license, or at any time other than the hours for regular meals specified in said applica-

tion, or to any person or persons other than those then and there partaking of such meal or meals, or otherwise than as part of such meal or meals, and any person of persons who shall violate any of the provisions of this ordinance shall, on conviction, be fined in a sum not exceeding One Hundred Dollars, or imprisoned for a term not exceeding sixty days, or either or both at the discretion of the court.

Original ordinance approved Feb. 10, 1892. Amended by ordinances approved April 7, 1894; July 12, 1898; Feb. 7, 1901; Nov. 17, 1904; Sept. 5, 1905; May 3, 1909. Supplement approved May 23, 1901.

An Ordinance to Provide for the Erection of Barriers to Prevent Accidents.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. It shall be the duty of all persons who may be engaged in erecting or making any addition to any building, paving any street, constructing any sewer or drain, laying pipes for gas, water or other purposes, making any excavation or causing obstructions of any kind whatever in or upon any street or sidewalk of this city, whereby accidents or injuries might be occasioned, to erect a railing at such excavations or work, in such manner as to prevent accidents or injuries to persons or property passing through such streets, and to continue such railing until the obstruction is removed, which must be within three months from the beginning of such obstruction.

Sec. 2. It shall also be the duty of all such persons to place upon such railing or obstruction, at a time not later than thirty minutes after sunset of each day, suitable and sufficient lights, and keep them burning through each night during the continuance of such obstruction.

Sec. 3. It shall be the further duty of every person using any of the streets or sidewalks of the city for any of the purposes mentioned in the first section of this ordinance, to cause said streets and sidewalks, on completion of the work, to be left in a condition satisfactory to the Street Commissioner, which condition shall be as good as when such work was begun.

Sec. 4. Every violation of either of the preceding sections of this ordinance shall be punished by a fine not exceeding fifty dollars for each offence.

Sec. 5. It shall be the duty of the Counsel to the Corporation, upon receiving satisfactory information of the violation of this or-

dinance, forthwith to institute, and with due diligence, prosecute proceedings for the collection of the penalties herein provided for.

Sec. 6. The ordinance entitled "An ordinance to provide for the erection of barriers, etc., to prevent accidents," approved June 10th, 1871, and amended July 3d, 1871, is hereby repealed.

Approved February 28, 1882.

An Ordinance Relating to Streets and Sidewalks and Encroachments Thereon.

(As Amended).

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Sections 1, 2, 3 and 4 repealed Nov. 10, 1894.

Sec. 5. No sidewalk or part of any sidewalk now or hereafter laid with brick or flagging in any part of the city, shall hereafter be taken up or the brick or flagging be removed therefrom for any purpose, without the written permission of the Street Commissioner first obtained, and every person who shall take up or remove any part of any such sidewalk, without such permission, shall, on conviction thereof, be punished by fine not exceeding ten dollars for each offence.

Sec. 6. No person shall erect, project or suspend any sign over any sidewalk or the established line of any street, to a greater distance than two feet from the street line, or permit the continuance of any sign so erected or projected, nor shall construct any window which shall extend from the wall of any building into or over any street, nor shall construct any cellar door, platform, stoop, steps or fence which shall extend into or encroach upon any street or sidewalk, without the permission of the Common Council first obtained; every person who shall violate this section, shall on conviction thereof be punished by fine not exceeding twenty dollars for each offence.

Sec. 7. No person shall throw or deposit or cause to be deposited into or upon any public street, avenue or sidewalk, or into or upon any public ground in the city, any turf, stone, clay, sand, earth, ashes, or dangerous or offensive substance, except snow and ice which may have fallen or been formed upon sidewalks, and ashes, sawdust or sand which may be strewn upon sidewalks, in pursuance of the provisions of the ordinance entitled "An ordinance to provide for keeping street sidewalks and gutters free from snow, hail, slush and ice," passed December 3d, 1877, and re-adopted December 17th, 1877, and no person shall take up or remove from any

public street, avenue or sidewalk or from any public ground in the city, any turf, stone, sand, clay or earth, without the permission of the Street Commissioner first obtained; every person who shall violate this section, shall on conviction thereof be punished by fine not exceeding twenty dollars for each offence.

Sec. 8. All trees standing along the public streets of the city, whose branches extend or shall extend over the sidewalks or roadway shall be trimmed from the main trunk to a height of not less than ten feet from the surface of the ground, so as to prevent injury to the public health, impediment to travel and obstruction to street lights, unless the Street Commissioner shall otherwise direct or permit.

Sec. 9. The Street Commissioner shall cause this ordinance to be carried into effect, and every person who shall obstruct or molest said officer or any person or persons employed by him in the performance of such duty, shall be punished by a fine not exceeding twenty-five dollars for each offence.

Sec. 10. The ordinance entitled "An ordinance in regard to improvements on streets, sidewalks, and regulating the putting up of awnings, signs, etc.," approved July 19th, 1869; and the ordinance entitled "An ordinance to amend an ordinance entitled 'An ordinance in regard to improvements to streets, sidewalks, and regulating the putting up of awnings, bay-windows, signs, etc., approved July 19th, 1869,'" approved April 24th, 1874; and the ordinance entitled "An ordinance for the trimming of trees," approved June 1, 1870; and the ordinance entitled "An ordinance to prohibit signs over the sidewalks," approved June 28th, 1872, and the ordinance entitled "An ordinance to protect the streets and sidewalks and other protection," approved May 21, 1878; are hereby repealed.

Sec. 11. All ordinances and parts of ordinances which were repealed or abrogated by any ordinance hereby repealed, shall continue to be so repealed and shall be deemed abrogated.

Approved December 7, 1881.

Amended by ordinances approved June 6, 1894, and November 10, 1894.

An Ordinance to Provide for Keeping Street Sidewalks and Gutters Free from Snow, Hail, Slush and Ice.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. It shall be the duty of the owner or owners, lessee or lessees, occupant or occupants, and person or persons having charge of every lot or parcel of land upon which is or may hereafter

be erected any building, or of any lot or parcel of land which is or may hereafter be vacant, situated on or adjoining any public and improved street in this city, the sidewalks of which are now or hereafter may be flagged, cemented, planked or gravelèd, severally, to keep a pathway at least four feet in width over the street sidewalk and the street gutters to the width of one foot outwardly from and adjoining the curb or edge of the sidewalk along the entire front of each such lot or parcel of land, or if any such lot or parcel of land be situated upon a corner formed by intersecting streets, to keep such pathway and gutters along both the front and sides of each such lot or parcel of land, to the respective width aforesaid, free from snow, hail, slush and ice, save as provided in the second section of this ordinance; and it shall be the duty of such persons severally to remove or cause to be removed from such pathway and gutters, to the respective widths aforesaid, all snow, hail, slush and ice which may have fallen or been formed, thereon, within four hours after the same shall have so fallen or been formed, excepting in cases when such snow or hail shall have fallen or such slush or ice shall have been formed during any night, in all which last mentioned cases the same shall be so removed within four hours after sunrise of the next following morning.

Sec. 2. If in any case such snow, hail, slush or ice shall be so congealed that the same cannot be removed without injury to the sidewalks or gutters where the same has fallen or been formed, it shall be the duty of the owner or owners, lessee or lessees, occupant or occupants, and person or persons having charge of every such lot or parcel of land, severally to cause the snow, hail, slush or ice which shall have been so congealed, to be strewn with ashes, sawdust or sand within four hours after such congelation shall have happened, excepting in cases where such congelation shall have happened during any night, in all which last mentioned cases such snow, hail, slush and ice shall be so strewn with ashes, sawdust or sand within four hours after sunrise of the next following morning; and in all cases mentioned in this section all snow, hail, slush and ice which shall have been so congealed, shall be so removed from the sidewalks and gutters aforesaid to the respective widths aforesaid, within four hours after the same shall have become thawed to such an extent as to render such removal practicable without injury to such sidewalks or gutters, save in cases where the same shall have become so thawed during any night, in all which last mentioned case the same shall be so removed within four hours after sunrise of the next following morning.

Sec. 3. For each violation of this ordinance every person violating the same shall be subject to a penalty of five dollars, recoverable for the use of the city.

Sec. 4. The ordinance entitled "An ordinance concerning snow and ice," passed December 26th, 1870, and all ordinances and parts of ordinances amendatory thereof or in addition thereto, and all ordinances and parts of ordinances which conflict with any of the provisions of this ordinance, are hereby repealed.

Sec. 5. This ordinance shall take effect immediately.

Adopted December 3, 1877.

Re-adopted December 17, 1877, notwithstanding the objections of the Mayor.

An Ordinance Concerning the Removal of Snow and Ice from Sidewalks and Gutters.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the owner, occupant, lessee or other person having the charge of each and every dwelling house, store, or other building or lot or lots of grounds, shall within the first four hours of daylight after every fall of snow or hail, or after the formation of any ice upon the sidewalk adjoining said premises, cause the said snow or ice (unless said ice shall have been strewn with ashes, sawdust or sand) to be removed from the flagging, cement, concrete, planks, crushed stone, graveled surface or other artificial covering thereof; and shall also cause the gutter in front thereof to the width of one foot outwardly from and adjoining the curb line to be cleaned out so as to allow the water to run freely along the same, and any person violating any of the provisions of this section shall on conviction be punished by a fine not exceeding five dollars; **provided,** that this section shall not apply to any sidewalk which shall not at the time have been laid either to the whole width or a part thereof with flagging, cement, concrete, planks, boards, crushed stone, graveled surface or some artificial covering.

Sec. 2. That as to all sidewalks and gutters of any street or highway that is graded, curbed and flagged, the Street Commissioner shall at an expense not exceeding one cent per front foot, in all cases in which the owner of the land shall fail to remove the snow and ice within twenty-four hours after such sidewalks or gutters were covered with snow or ice, remove said snow or ice from said sidewalks and gutters as directed by the statute in such case made and provided, and in such case the costs and expense paid and incurred by said street commissioner for removing the snow and ice from any sidewalk or gutter as aforesaid shall be certified by said Street Commissioner to the city assessor, "and the same

shall be added to the taxes of the lot or lots or parcels of land in front of the sidewalks and gutters from which the snow and ice was removed, and shall be a part of the same as a first and paramount lien upon said land and premises."

Approved April 9th, 1895.

An Ordinance Concerning Footways and Sidewalks.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. The tenant, occupant, or any person having the care of any building or lot of land bordering on any streets, lane, court, square, of public place within the city, where there is any footway or sidewalk, and in case there may be no tenant, occupant, or other person having the care of the whole of any such building or lot, the owner shall put, maintain and keep such footway or sidewalk in good and sufficient repair, even on the surface, and so constructed as freely to shed water, and for the width of at least three feet, if said footway or sidewalk be that wide, if not, then for the whole width thereof, shall make and keep it free from turf, grass, weeds, stubble and other foreign substances; and in all cases in which at any time any footway or sidewalk is not in the condition required by this section, such tenant, occupant, owner, or other person, as aforesaid, shall forthwith cause the same to be repaired or put in above condition in conformity herewith.

Sec. 2. The Street Commissioner is hereby authorized to notify and order persons liable under the preceding section to comply with the requirements thereof; and every such person neglecting or refusing to comply therewith within one week after such notification and order of the Street Commissioner shall be liable, on conviction thereof, to a fine not exceeding ten dollars, and for each and every week thereafter that such neglect or refusal shall continue any further sum not exceeding ten dollars; and in case such neglect or refusal shall continue for the space of nine days after such notification and order of the Street Commissioner, the Street Commissioner may cause the necessary repairs to be made and the person or persons convicted under this or the preceding section shall be liable for the costs incurred in making such repairs in addition to the fine.

Approved December 4, 1883.

An Ordinance Concerning the Construction, Maintenance and Repair of Sidewalks.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That all sidewalks of flag stone or concrete of not more than four feet in width which shall hereafter be constructed under this ordinance shall be constructed so that the nearest edge of the sidewalks of flag stone or concrete shall be the following distances from the curb line, that is to say: on sidewalks having a width of twenty feet or more between the property line and the curb line, a distance of eight feet from the curb line; on sidewalks having a width of twelve feet or more and less than twenty feet between the property line and the curb line, a distance of six feet from the curb line; on sidewalks having a width of ten feet or more and less than twelve feet between the property line and the curb line, a distance of four feet from the curb line; on sidewalks having a width of less than ten feet between the property line and the curb line, said walks of flag stone or concrete shall be laid so that the side lines shall be at equal distance respectively from the property line and the curb line; except that on Jackson Avenue all sidewalks of flag stone or concrete of not more than four feet in width shall be laid so that the nearest edge of the walks of flag stone or concrete shall be thirteen feet from the curb line, and all such sidewalks on Leland Avenue shall be so laid that the nearest edge of the walks of flag stone or concrete shall be five feet from the curb line; **provided,** that in any case on application to the Common Council for that purpose, the Common Council may by resolution specially direct the distance which any sidewalks of flag stone or concrete may be laid from the curb line as the Common Council shall deem to be for the best interests of the City.

Sec. 2. That all sidewalks in said city shall be well and sufficiently constructed, repaired and maintained at the expense of the abutting land owners, so as to be even on the surface and so laid and constructed as freely to shed water and for the width of at least four feet free from turf, grass, weeds, stubble and other foreign substances.

Sec. 3. That within that portion of said city described as follows, viz:

Beginning at a point in the southeasterly side of Green Brook at the northeasterly side line of Farragut Road and running thence along said line of Farragut Road to the southeasterly side line of East Front street; thence along said line to the northeasterly side line of Berckman street; thence along said line to the northwesterly side line of South avenue; thence along said line to the easterly side

line of Belvidere avenue; thence along said line to the easterly side line of Woodland avenue; thence along said line to the southerly side line of Prospect avenue; thence along said line to the southerly side line of West Ninth street; thence along said line to the northeasterly side line of Madison avenue; thence along said line to southerly side line of Stelle avenue; thence along said line to the southwesterly side line of Plainfield avenue; thence along said line to the southeasterly side line of West Eighth street; thence along said line to the southeasterly side line of Grant avenue; thence along said line to the southeasterly side line of West Seventh street; thence along said line to the southwesterly side line of Monroe avenue; thence alone said line to the northwesterly side line of South Second street; thence along said line to the southwesterly side line of Grant avenue; thence along said side line and the southwesterly side of West End avenue to Green Brook; thence along the same to the place of beginning; also on both sides of Central avenue from Stelle avenue to Elizabeth street; also on both sides of West Front street from Grant avenue to the westerly city line; and on both sides of Park avenue from Ninth street to Randolph Road; also on both sides of East Front street from Farragut Road to Terrill Road; also on both sides of South avenue from Belvidere avenue to Terrill road; also on both sides of Arlington avenue from West Ninth street to Randolph Road; also within the portion of said city described as follows: Beginning at the southerly corner of West Seventh street and Monroe avenue, and running thence along the southeasterly side line of West Seventh street to the city and county line; thence along said line in a westerly direction to the southwesterly side line of Clinton Avenue; thence along said line to the northwesterly side line of Dunellen avenue; thence along said line to the northeasterly side line of Compton Avenue; thence along said line to the northwesterly side line of West Front Street; thence to the southerly corner of South Second Street and Monroe Avenue; thence along the southwesterly side line of Monroe Avenue to the place of beginning; also on both sides of Randolph Road from Plainfield Avenue to Central Avenue; also within the portion of said city described as follows: Beginning at the southeasterly corner of Prospect and Hillside Avenues, and running thence along the easterly side of Hillside Avenue to the southerly side of Randolph Road; thence along said side line to the southwesterly side line of Park Avenue; thence along said side line to the southerly side line of Prospect Avenue, produced, thence along said side line to the place of beginning; also within the portion of said city described as follows: beginning at the northerly corner of Farragut Road and East Front Street, and running thence along the northwesterly side of East Front Street to the northeasterly side of Leland Avenue; thence

along said side line to the southeasterly side line of South Avenue; thence along said side line to the northeasterly side line of Berckman Street; thence along said side line to the southeasterly side line of East Front Street; thence along said side line to the northeasterly side line of Farragut Road, produced; thence along said line to the place of beginning; also on both sides of North Avenue from Leland Avenue to Terrill Road; in all cases in which the sidewalks are not already constructed of blue stone flagging properly laid to the grade fixed by ordinance or otherwise legally established, sidewalks shall be constructed, repaired and maintained at the expense of the abutting land owners, composed of blue stone flagging, smooth and even on the surface, and properly laid under the direction of the Street Commissioner; the flags shall not be less than four feet long, transversely to the length of the street, not less than two feet wide lengthwise of said street, and not less than one and one-half inches thick in the thinnest part; **provided**, that upon first obtaining written permit from the Street Commissioner, sidewalks may be constructed of concrete slabs of same dimensions as specified for flagging, excepting that said slabs shall be not less than three inches thick, and shall be composed of concrete containing at least one part of Portland cement to two and one-half parts of sand and two and one-half parts of broken stone, on similar permit, and sidewalks may be constructed of concrete laid in place, the construction of which walks shall be under the direction and subject to the approval of the Street Commissioner. The Street Commissioner shall give the correct lines and grades in all cases.

Sec. 4. Within that portion of the City of Plainfield described in Section 3, in all cases in which sidewalks are not already curbed with stone, concrete or similar substance, properly laid to the grade fixed by ordinance or otherwise legally established, said sidewalks shall be curbed and the curbs repaired and maintained at the expense of the abutting land owners, the curbs to be of blue stone not less than four inches thick in the thinnest part and sixteen inches in depth, smooth and even on the surface, and laid under the direction of the Street Commissioner. That all return curbs shall have a radius of six feet, no place to be less than three feet two inches in length. The Street Commissioner shall give the correct lines and grades in all cases.

Sec. 5. That within that portion of the City of Plainfield described in Section 3, all sidewalks and curbs shall be laid and maintained at the grade fixed by ordinance or otherwise legally established, and where any sidewalk or curb or any part thereof is or shall become above or below the grade, so fixed or established, or is or shall become broken or uneven on the surface, such sidewalk or curb shall be repaired, put to grade, relaid or the broken parts

replaced, as the case may require, at the expense of the abutting land owner.

Sec. 6. It is hereby made the duty of the owners of land abutting on the sidewalks of said city to comply with the preceding sections of this ordinance under the direction and supervision of the Street Commissioner. The Street Commissioner is hereby authorized to serve, or cause to be served by any of the police officers of the city, notices in writing upon the owners or occupants of said lands requiring the necessary specified work to said sidewalks to be done by said owners or occupants within a period of thirty days from the date of service of such notice, and shall file with the City Clerk a list of the names of parties on which notices have been served; if any said lands are unoccupied and the owner cannot be found within the city, the said notice shall be mailed, postage prepaid, to his or her post office address if the same can be ascertained. In case such owner is a non-resident of the city and his or her post office address cannot be ascertained, then the notice may be inserted for four weeks, once a week, in the official newspapers of the city. The notices referred to in this section shall be signed by the Street Commissioner.

Sec. 7. That in case the owner or occupant of such lands shall not comply with the requirements of the notice specified in the preceding section, said Street Commissioner shall file in the office of the City Clerk due proof of the service or publication of the aforesaid notice and thereupon the Common Council may cause the required work to be done and paid for out of the moneys of the city to the credit of the Street Department; the cost of such work shall be certified by the Street Commissioner to the City Collector; upon filing the said certificate, the amount of the cost of such work shall be and become a lien upon the said abutting lands in front of which such work was done, and shall be collected in the manner provided by law, and shall bear interest at the same rate as other assessments; or payment may be enforced by action in any court of competent jurisdiction, as provided by the statute.

Sec. 8. That all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Approved April 10, 1899; amended by ordinances approved August 4, 1902; June 5, 1905; June 6, 1906; October 5, 1908.

An Ordinance Concerning the Construction and Repair of Sidewalks and Curbs.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That all sidewalks not already laid out under prior

ordinances of said city shall have a width not less than one-fifth of the entire width of the street, and shall be raised, from the curb-stone line to the side of the street adjoining in the proportion of one-half inch to one foot, unless otherwise specially directed by resolution of the Common Council.

Sec. 2. That all sidewalks of blue stone flagging or concrete which shall hereafter be constructed under this ordinance shall be constructed so that the nearest edge of the blue stone flagging or concrete shall be the following distances from the side lines of the streets, that is to say: On streets having a width of eighty feet or more, a distance of eight feet; on streets having a width of seventy feet or more and less than eighty feet, a distance of five feet; on streets having a width of more than sixty feet and less than seventy feet, a distance of three feet; on streets having a width of fifty feet or more and not more than sixty feet, a distance of two feet, and on streets having a width of less than fifty feet, said blue stone flagging or concrete shall be so laid that the sides of the same shall be at equal distances respectively from the side line and the curb line; **provided**, that in any case, on application to the Common Council for that purpose, the Common Council may by resolution specially direct the distance which any blue stone flagging or concrete may be laid from the side line as the Common Council shall deem to be for the best interests of the city.

Sec. 3. That all sidewalks in said city shall be well and sufficiently constructed, repaired and maintained at the expense of the abutting land owners, so as to be even on the surface and so laid and constructed as freely to shed water and for the width of at least four feet free from turf, grass, weeds, stubble and other foreign substances.

Sec. 4. That within that portion of said city described as follows, viz:

Beginning at a point in the southeasterly side of Green Brook at the northeasterly side line of Leland Avenue and running thence along said line of Leland Avenue to the southeasterly side line of Berkeley Avenue produced; thence along said line produced and said line of Berkeley Avenue to the easterly side line of Denmark Road; thence along said line to the easterly side line of Ravine Road; thence along said line to the southerly side line of Charlotte Road produced; thence along said line produced and said line of Charlotte Road to the southeasterly side line of Belvidere Avenue; thence along said line to the easterly side line of Woodland Avenue; thence along said line to the southerly side line of Prospect Avenue; thence along said line to the easterly side line to Hillside Avenue; thence along said line to the southerly side line of Randolph Road; thence

along said line to the easterly side line of Plainfield Avenue; thence along said line to the southeasterly side line of Sherman Avenue; thence along said line to the westerly City Line; thence along said line to the westerly side line of Evona Avenue; thence along said line to the southwesterly side line of Clinton Avenue; thence along said line to the southeasterly side of Green Brook; thence along the same to the place of beginning; also on both sides of East Front Street from Leland Avenue to Terrill Road; also on both sides of West Front Street from Clinton Avenue to the westerly City Line; also on both sides of North and South Avenues from Leland Avenue to Terrill Road; also on both sides of Central Avenue from Randolph Road to Elizabeth Street; also on both sides of Park Avenue from Randolph Road to the southerly City Line; also on both sides of Plainfield Avenue from Sherman Avenue to the southerly City Line, in all cases in which the sidewalks are not already constructed of blue stone flagging, or concrete, properly laid to the grade fixed by ordinance or otherwise legally established, sidewalks shall be constructed, repaired and maintained at the expense of the abutting land owners, composed either (1) of blue stone flagging, smooth and even on the surface, and properly laid under the direction of the Street Commissioner, said blue stone flags to be not less than four feet long transversely to the length of the street, not less than two feet wide lengthwise of said street, and not less than one and one-half inches thick in the thinnest part; or (2) of concrete, to be laid in conformity with the specifications for cement sidewalks as set forth in Standard Specifications for Portland Cement Sidewalks and Curbs, filed in the office of the City Clerk April 11th, 1910. The Street Commissioner shall give the correct lines and grades in all cases.

Sec. 5. Within that portion of the City of Plainfield described in Section 4, in all cases in which sidewalks are not already curbed with stone, concrete or similar substance, properly laid to the grade fixed by ordinance or otherwise legally established, said sidewalks shall be curbed and the curbs repaired and maintained at the expense of the abutting land owners, the curbs to be either (1) of blue stone not less than four inches thick in the thinnest part and sixteen inches in depth, smooth and even on the surface, or (2) or concrete, constructed in conformity with specifications for curbs set forth in the Standard Specifications referred to in Section 4 of this ordinance, and laid under the direction of the Street Commissioner. That all return curbs shall have a radius of six feet, no piece to be less than three feet two inches in length. The Street Commissioner shall give the correct lines and grades in all cases.

Sec. 6. That within that portion of the City of Plainfield de-

scribed in Section 4, all sidewalks and curbs shall be laid and maintained at the grade fixed by ordinance or otherwise legally established, and where any sidewalk or curb or any part thereof is or shall become above or below grade so fixed or established, or is or shall become broken or uneven on the surface, such sidewalk or curb shall be repaired, put to grade, relaid or the broken parts replaced, as the case may require, at the expense of the abutting land owner.

Sec. 7. If after the passage of this ordinance the owner or owners of lands affected thereby shall neglect for the space of thirty days to make the improvement to the sidewalks thereof by this ordinance directed and required, the Common Council may cause such improvements to be made under the direction and supervision of the Street Commissioner as authorized by the statute in such case made and provided. Before proceeding to make any such improvement, the Common Council shall cause notice of such contemplated improvement to be given to the owner or owners of any land thereby affected, which notice shall contain a description of the property affected, sufficiently definite in terms to identify the same, as well as a description of the required improvements and a notice that unless said improvement shall be completed within thirty days after the service thereof it is the intention of the City to make said improvement or cause the same to be made pursuant to the authority of the Act of the Legislature entitled "An Act to authorize cities to construct and repair sidewalks and curbs, and to provide for the payment of the cost theréof," approved April 13th, 1908. Such notice shall be served as in said Act directed, and proof under oath of the publication or service of such notice shall be filed within two days thereafter in the office of the Collector of said City.

If such improvement shall not be completed within the time and in the manner directed in said notice, the Street Commissioner shall thereupon forthwith proceed to cause such improvement to be made by the City under his direction as authorized by this ordinance and said Act of the Legislature.

Sec. 8. When any improvement of the character hereinbefore mentioned shall be made by the City pursuant to said Act of the Legislature, a true and accurate account of the cost and expense thereof shall be kept by the Street Commissioner and apportioned among the several properties improved in proportion to the frontage of their respective lands, and a true statement of such cost under oath or affirmation of said Street Commissioner shall forthwith be filed by him with the Collector of said City, whereupon said charge shall be and remain a first lien upon the lands and real estate thereby improved, and shall bear the same rate of interest as other assessments made under the laws governing said City, and shall be col-

lected in the same manner as assessments are now collected under such laws, and in case of the non-payment of such charges the land and real estate subject to such liens may be sold in the manner provided for the sale of lands for the non-payment of assessments made under such laws.

Sec. 9. That all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Approved July 15, 1910.

Amended by Ordinance. Approved August 15, 1911.

An Ordinance Relating to Vaults and Cisterns in the Streets of Plainfield

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person shall construct any vault or cistern in any street, except by and with the consent of the Common Council, or the Committee on Streets thereof, and then only on the payment of such sum as shall be from time to time established by resolution of the said Common Council, and in all cases the same shall be completed and furnished within the time prescribed by the said Committee on Streets under the penalty of twenty dollars.

Sec. 2. That all vaults shall be constructed of stone or brick, and the grating or opening into the street shall be within twelve inches of the coping or area in front of the house to which said vault shall belong or within twelve inches of the curbstone, under the penalty of twenty dollars, to be paid by the owner or person making or causing the same to be made.

Sec. 3. That no person shall remove, or cause, or procure, or permit to be removed, or insecurely fixed so that the same can be removed in its bed, any grate or covering to the opening or aperture of any vault in the City of Plainfield, under the penalty of ten dollars.

Sec. 4. That the last preceding section shall not be construed so as to prevent the removal of any such grate or covering; **provided,** the aperture of such vault, during the removal of such grate or covering, shall be enclosed with a strong box or curb, at least twenty-four inches high; and in no case shall such grate or covering be removed and left off the opening except while said opening is being continuously used for the purpose of passing anything through said aperture.

Sec. 5. That no person or persons shall suffer or permit the aperture or covering to any such vault in the streets or sidewalks

of the City of Plainfield, to remain open for any period between sunset and sunrise the next morning, under the penalty of ten dollars.

Sec. 6. That all grates to vaults shall be made of iron, the bars whereof shall be three-fourths of an inch wide and one-half of an inch apart, or such vaults shall be covered with patent vault lights or iron, under a penalty of ten dollars, to be paid by the owners thereof or the occupant of the house to which the same shall belong.

Sec. 7. That it shall be the duty of every owner or occupant of any lot in the City of Plainfield during construction of any vault or cistern in any street, and also during the use of any portion of any street for temporary storage of building materials, and also during the making of excavations in any street, and also during the obstruction of any street for any other purpose, to keep and maintain a passageway over the sidewalk in front of said premises for the width of five feet, if the sidewalk be of that or greater width, and if not then for the entire width of said sidewalk in a condition passable and safe for the traveling public, under penalty of fifteen dollars, to be paid by the owner or occupant thereof for each offense, and the further penalty of ten dollars for every day the same shall be continued in condition not passable and safe as aforesaid, after being notified by due process of such fact.

Approved July 2, 1889.

An Ordinance Designating the Streets or Highways of the City of Plainfield, in and Through Which the Posts and Poles of the New York and New Jersey Telephone Company may be Placed and the Manner of Placing the Same.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. The route for the line of the New York and New Jersey Telephone Company, in and through the City of Plainfield, and the streets and highways of said city, in which the posts or poles of said Company may be placed, and the manner of placing the same, are hereby designated and prescribed as follows:

Beginning at Terrill Road, in the eastern limit of the city on the north side of South Avenue, running thence along the north side of South Avenue to the east side of Richmond Street; thence crossing Richmond Street to the south side of East Fourth Street; thence along the south side of East Fourth Street seven hundred and seventy-five (775) feet; thence diagonally one hundred and twenty-four (124) feet to the north side of East Fourth Street; thence along the north side of East Fourth Street two hundred and seventy-two

(272) feet; thence diagonally one hundred and nineteen (119) feet to the south side of East Fourth Street; thence along the south side of East Fourth Street two hundred and ninety-seven (297) feet and ten (10) inches; thence diagonally one hundred and twenty-eight (128) feet to the north side of East Fourth Street; thence along the north side of East Fourth Street to the east side of Broadway; thence along the east side of Broadway to the north side of North Avenue; thence along the north side of North Avenue to the west side of Park Avenue; thence along the west side of Park Avenue to the north side of West Front Street; thence along the north side of West Front Street to the east side of Madison Avenue; thence along the east side of Madison Avenue to the south side of West Third Street; thence along the south side of West Third Street to the west side of Liberty Street; thence along the west side of Liberty Street to the south side of West Eighth Street; thence along the south side of West Eighth Street to the east side of Plainfield Avenue; thence along the east side of Plainfield Avenue to the south side of Randolph Road; thence along the south side of Randolph Road four hundred and seventy-five (475) feet; thence diagonally one hundred and forty-six (146) feet to the north side of Randolph Road; thence along the north side of Randolph Road to the west side of Madison Avenue; thence to the south side of Randolph Road; thence along the south side of Randolph Road to Park Avenue; thence along the west side of Park Avenue to the city limits.

Also beginning on the east side of Woodland Avenue at its junction with South Avenue; thence along the east side of Woodland Avenue sixty-six (66) feet; thence to the west side of Woodland Avenue; thence along the west side of Woodland Avenue four hundred and seventy-five (475) feet; thence to the east side of Woodland Avenue and north side of Park Lane; thence along the north side of Park Lane one hundred and seventy-one (171) feet; thence to the south side of Park Lane and the west side of Denmark Road; thence along the west and south side of Denmark Road to the west side of Berkeley Avenue; thence along the west side of Berkeley Avenue to Ravine Road; thence to the east and south side of Berkeley Avenue; thence along the south side of Berkeley Avenue to the west side of Belvidere Avenue.

Also beginning at the corner of South Avenue and Leland Avenue; running thence along the west side of Leland Avenue to the north side of North Avenue; thence along the north side of North Avenue to the east side of Netherwood Avenue; thence along the east side of Netherwood Avenue to East Front Street.

Also beginning at the southwest corner of Fifth and Richmond Streets; running thence along the west side of Richmond Street to the south side of LaGrande Avenue; thence along the west side of

Richmond Street to the south side of Putnam Avenue; thence along the south side of Putnam Avenue to Kensington Avenue.

Also beginning at the southwest corner of East Fourth Street and Broadway; running thence along the south side of East Fourth Street to the east side of Sycamore Street; thence along the east side of Sycamore Street two hundred (200) feet; thence to the west side of Sycamore Street; thence along the west side of Sycamore Street to East Sixth Street.

Also beginning at the northwest corner of Park Avenue and its intersection with the Central Railroad of New Jersey; thence along the west side of Park Avenue to Fourth Street; thence to the east side of Park Avenue; thence along the east side of Park Avenue to Fifth Street.

Also beginning at the southeast corner of Park Avenue and East Front Street; thence along the south side of East Front Street three hundred and forty-three (343) feet; thence diagonally one hundred and thirty-four (134) feet and six (6) inches to the north side of East Front Street; thence along the north side of East Front Street one hundred and ninety-two (192) feet; thence diagonally one hundred and thirty-nine (139) feet to the south side of East Front Street; thence along the south side of East Front Street six hundred (600) feet to its junction with Elm Place; thence to the west side of Elm Place; thence along the west side of Elm Place to the city limits on Green Brook.

Also beginning at the northwest corner of Liberty and West Third Streets; running thence along the north side of West Third Street one hundred and ninety (190) feet; thence diagonally one hundred and seventy-seven (177) feet to the south side of West Third Street; thence along the south side of West Third Street nine hundred and fifty (950) feet; thence diagonally one hundred and ninety-two (192) feet to the north side of West Third Street, near its junction with Muhlenberg Place; thence along the east side of Muhlenberg Place to the north side of South Second Street; thence along the north side of South Second Street to the Pond Tool Works.

Also beginning at the northwest corner of West Third Street and Plainfield Avenue; thence along the west side of Plainfield Avenue to West Second Street.

Also beginning on the south side of Eighth Street, at the junction of Liberty Street; thence along the south side of Eighth Street to Division Street.

Also beginning on the west side of Plainfield Avenue at its junction with Randolph Road; thence along the west side of Plainfield Avenue to the south side of Sherman Avenue; thence along the south side of Sherman Avenue to Grant Avenue; thence along the west side of Grant Avenue to the north side of Eighth Street.

Also beginning on the east side of Madison Avenue, at its junction with Randolph Road; thence along the east side of Madison Avenue five hundred and sixty-nine (569) feet; thence diagonally one hundred and twenty-four (124) feet to the west side of Madison Avenue; thence along the west side of Madison Avenue to the south side of West Ninth Street; thence along the south side of West Ninth Street sixteen (16) feet; thence diagonally one hundred and forty (140) feet to the north side of West Ninth Street; thence along the north side of West Ninth Street to Park Avenue; thence to the south side of East Ninth Street; thence along the south and east side of East Ninth Street to Broadway.

Also beginning at the corner of Prospect Avenue at its junction with East Ninth Street; thence along the south side of Prospect Avenue to Hillside Avenue; thence to the north side of Prospect Avenue; thence along the north side of Prospect Avenue to Rahway Avenue.

Also beginning at the corner of Second Place, at its junction with East Ninth Street; thence along the south side of Second Place to Crescent Avenue.

Also beginning at the corner of Rose Street, at its junction with Randolph Road; thence along the west side of Rose Street to Arlington Avenue.

Also beginning at the northeast corner of Front and Somerset Streets; thence along the east side of Somerset Street to Green Brook.

Sec. 2. The said posts or poles shall be located, placed and erected within and adjacent to the curb line, as shown by the official maps of the City of Plainfield, and at the points or places now occupied by the post or poles of the said New York and New Jersey Telephone Company; and said posts or poles may also be placed and erected at all other points or places upon said streets which may be indicated by the Street Committee of Common Council of said city for the erection of said posts or poles, if otherwise legally located, which places so indicated shall not be more than one hundred and fifty (150) feet apart, and all poles hereafter erected shall be erected under the supervision of said Street Committee and in accordance with the Rules and Ordinances of said city, and shall be located within eighteen inches of the curb line.

Approved by the Mayor April 10, 1889.

An Ordinance Designating the Streets of the City of Plainfield in and through which the Posts and Poles of the Plainfield Electric Light Company, its Successors and Assigns, may be Placed and the Manner of Placing the Same.

The Inhabitants of the City of Plainfield, by the Common Council, do enact as follows:

Section 1. That pursuant to an act entitled "An act concerning corporations, approved April 7th, eighteen hundred and seventy-five," which supplement was approved May 10th, eighteen hundred and eighty-four; all the streets, lanes and highways of the City of Plainfield are hereby designated as the streets in which the Plainfield Electric Light Company, its successors and assigns, may place and maintain posts and poles to sustain the necessary wires and fixtures for the supply and distribution of electricity, for electric lights, heat and power, for the period of ten years from November first, eighteen hundred and ninety, and the manner of placing the same shall be as follows:

The said posts or poles shall be located, placed or erected within and adjacent to the curb line as shown by official maps of the City of Plainfield, including the points or places now occupied by the posts or poles of the said Plainfield Electric Light Company; and said posts or poles may also be placed or erected at any other points or places upon said streets, lanes or highways as may be indicated for that purpose by the Common Council of the City of Plainfield or some committee thereof authorized by the Common Council and all poles hereafter erected shall be erected under the supervision of said Common Council, or its authorized committee and in accordance with the rules and ordinances of said city, and shall be located within eighteen inches of the curb line.

Sec. 2. That on the first day of November, nineteen hundred, the rights and privileges hereby conferred upon or secured to the said Plainfield Electric Light Company, its successors and assigns, shall, at the option of the said inhabitants of the City of Plainfield, cease and determine, and said Plainfield Electric Light Company, its successors and assigns, shall upon request of the said inhabitants of the City of Plainfield, by its Common Council, execute under the corporate seal of said Company and deliver to said inhabitants of the City of Plainfield, a surrender and release of all rights and privileges granted or secured by this ordinance, to carry out the true intent and meaning hereof. And said Plainfield Electric Light Company shall file with the City Clerk within ninety days next after passage of this ordinance its acceptance under its corporate seal and signed by its president, of the conditions, terms, provisions, restrictions and regulations hereof, and every of them, and in default thereof, it shall be understood and held that it declines to accept the same and thereupon the rights, powers and privileges to it granted or secured hereby, shall forever cease and be at an end, in the same manner and with the same effect as if this ordinance had never been passed.

Approved November 15, 1890.

An Ordinance Designating the Streets and Highways of the City of Plainfield in, through and upon which the Posts or Poles of the Plainfield Gas and Electric Light Company may be Placed and Maintained, and the Manner of Placing the same, and Providing for the Construction, Maintenance and Use by Said Company of Underground Conduits, Cables, Wires, Manholes and Appurtenances for the Distribution of Electricity for Light, Heat and Power.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the following streets and highways of the City of Plainfield are hereby designated as and for the streets and highways in, through or upon which the posts or poles of said Plainfield Gas and Electric Light Company may be placed, maintained and used by said Company, subject to the provisions of the General Statutes of the State of New Jersey in such case made and provided, and subject to the regulations contained in this ordinance, or that may be imposed by the corporate authorities or legislative body of the City of Plainfield:

Albert street, Arlington avenue, Arlington place, Berckman street, Belvidere avenue, Berkeley avenue, Church street, Carlton avenue, Central avenue, Charlotte road, College place, Compton avenue, Cottage place, Crescent avenue, Clinton avenue, Dunellen avenue, Division street, Eighth street, west, Elizabeth street, Elmwood place, Elm place, Essex street, Evona avenue, Field avenue, First place, Fifth street, east, Fifth street, west, Fourth street, east, Fourth street, west, Franklin place, Front street, east, Front street, west, Fifth street, west of Grant avenue, Giraud avenue, Grant avenue, Grove street, Hillside avenue, Irving place, Kensington avenue, Lee place, Madison avenue, Martine avenue, Monroe avenue, Muhlenberg place, Netherwood avenue, New street, Ninth street, east, Ninth street, west, North avenue, east of Richmond street, North avenue, between Park avenue and Watchung avenue, Norwood avenue, Park avenue, Park terrace, Plainfield avenue, Prospect avenue, Putnam avenue, Ravine road, Rahway road, Richmond street, Sanford avenue, Scott avenue, Second street, east, Second street, west, Second street, south, Second place, Sixth street, east, Sixth street, west, Park avenue to Plainfield avenue, Sixth street, west, west of Grant avenue, Seventh street, east, Seventh street, west, Sherman avenue, Somerset street, South avenue, Spooner avenue, Stelle avenue, Third street, east, Third street, west, Third place, Washington street, Washington avenue, Watchung avenue, Webster place, West End avenue, Westervelt avenue, Woodland avenue.

Sec. 2. That the manner of placing said posts or poles shall be as follows:

They shall be firmly planted in the ground, adjacent to and within eighteen inches of the curb line on streets where curb lines have been established, and secured by cement or grouting wherever necessary to maintain the poles in an erect position, and said posts or poles shall not be less than one hundred feet apart.

Sec. 3. That said Plainfield Gas and Electric Light Company be and is hereby authorized to construct and maintain for the uses of its business of generating and distributing electricity for the purposes of light, heat and power, a system of subways or underground conduits, including the necessary manholes and street openings and lateral connections to property lines beneath the surface of the streets and other highways in said city, and to drain same to storm sewers, and to place, maintain and operate in its system of subways or underground conduits the wires, cables or other electrical conductors necessary for its business, and to construct, maintain and use for such purposes a system of electrical conductors in connection with the necessary poles and appurtenances for the distribution of electricity from such conduits.

Sec. 4. That said system of subways herein authorized shall be constructed as follows: The same shall be at least three feet below the surface of the streets where located, with manholes where necessary, level with the surface of the street; the trenches shall be carefully back-filled and the material thoroughly rammed to the satisfaction of the Street Commissioner; the work of rolling and repairing the pavement shall be done by the Street Commissioner, and the cost of said work shall be paid by said Plainfield Gas and Electric Light Company; and all the work of constructing shall be carried on under the supervision of the Street Commissioner. In case the said company shall fail to restore, relay or repair, or cause to be restored, relaid or repaired, any pavement or street surface within forty-eight hours after receiving notice from the Street Commissioner that such work is required, said Street Commissioner shall have the right to cause such work to be done and the cost thereof shall be paid by the said Company.

Sec. 5. That said Company shall indemnity the said inhabitants of the City of Plainfield against, and assume all liability and damages which may at any time arise, come or occur to said city from any injury to persons or property from the doing of any work herein authorized, or any work done upon, under or along any of the streets of the said city by said company, or from neglect of the company or its employees to comply with the provisions of any ordinance of said city relative to the use of streets or highways or public

places, particularly as to the erection and maintenance of lights and guards at or about excavations; and the acceptance by the Company of this ordinance shall be an agreement by it to pay to the Common Council of Plainfield any sum of money for which the city may become liable from or by reason of such injury or damage.

Sec. 6. That said company shall construct such subways and appurtenances at the rate of at least sixteen hundred feet (1,600) each year from the date of the approval or final adoption of this ordinance until the following streets are clear of wires and poles of said company, viz.:

West Front street and East Front street from Central avenue to Watchung avenue;

Park avenue from Front street to Fourth street;

North avenue from Park avenue to Watchung avenue;

Watchung avenue from East Front street to East Fourth street.

The Common Council shall have option to designate in what order subways in the streets specified in this section shall be laid; and the said company shall be at liberty to construct subways in the other streets specified in the first section of this ordinance earlier than herein specified, upon said company applying to the Common Council and obtaining special permisison in the premises.

Sec. 7. That this ordinance shall be void unless said company shall file with the Clerk of said city its acceptance hereof within twenty days from and after the passage hereof, which acceptance shall be taken and construed to be a consent to the terms and provisions hereof, and an agreement by said company to perform whatever is hereby required within the time or times herein limited, and the said company shall also within said period of twenty days file wth the Treasurer of said city a bond, with sureties to be approved by the Mayor, in the sum of ten thousand dollars, conditioned for the faithful performance of the terms and conditions of this ordinance.

Sec. 8. That said company shall pay into the Treasury of said city all advertising and printing fees incurred by the city under this ordinance, and this ordinance shall take effect immediately.

Approved July 12th, 1898.

An Ordinance Granting Permission to the New York and New Jersey Telephone Company, its Successors and Assigns, to Lay and Maintain Underground Conduits, Cables, Wires and Manholes for Electrical Conductors in the City of Plainfield, New Jersey, to be Used for Telephone and Telegraph Purposes.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the New York and New Jersey Telephone Company, its successors and assigns, be and it hereby is authorized and empowered to construct and maintain for the uses and purposes of its business aforesaid, a system of subways or underground conduits, including the necessary manholes and street openings, and lateral connections to property lines beneath the surface of the streets, avenues and other highways in the City of Plainfield, and to place, maintain and operate in said system of subways or underground conduits the wires, cables or other electrical conductors necessary for its said business; also to construct, maintain and operate for such purposes a system of electrical conductors in connection with the necessary poles for distribution from the electrical conductors to be placed in the subways or underground conduits herein before mentioned.

Sec. 2. And be it further ordained that the following streets, avenues and highways and parts thereof are hereby designated for the construction of the underground conduits of said company to be opened only after the adoption of a resolution granting permission in each street.

Front street from the Eastern to the Western limits of the city.

Somerset street from the Northern limits of the city to Front street.

Park avenue from Front street to Randolph road.

North avenue from Park avenue to Watchung avenue.

Watchung avenue from Front street to Kensington avenue.

East Fifth street and South avenue from Watchung avenue to Leland avenue.

Eighth street from Park avenue to Plainfield avenue.

Sixth street from Watchung avenue to Plainfield avenue.

Central avenue from Front street to Randolph road.

Fourth street from Watchung avenue to Plainfield avenue.

Liberty street from Front street to Eighth street.

Washington avenue from Front street to the Northern limits of the city;

and all other streets, avenues and highways of said city as may be necessary and from time to time designated in permits to be issued by the Street Committee for the construction of such conduits; said company may on the same streets, avenues and parts thereof erect the necessary poles, fixtures and supports for distributing its electrical conductors along, across and above the surface of the streets in connection with said subways; said poles shall be placed inside and within eighteen (18) inches of and adjacent to the curb line; said cables shall in all cases be placed under the carriage-way and within five (5) feet of the curb line, unless obstructions make it

necessary to go further from the curb line, and then only after written permission has been given by the Committee on Streets and Sewers, and shall be placed at least eighteen (18) inches below the surface of the street.

Sec. 3. And be it further ordained that the said manholes shall be located beneath the surface of the streets at such points along the line of the subways or underground conduits as may be necessary or convenient for placing and operating the electrical conductors which the said company may from time to time place in said subways or underground conduits, and shall be so constructed as not to interfere with the passage of the public over and along the said streets; and the said company shall restore any street or avenue which may be disturbed in the construction or maintenance of said subways or conduits and manholes to the condition in which it was at the commencement of the work thereon, and free from any cost or expense whatever to the City of Plainfield. And the said company and its servants and employes in the laying of any wires or conduits, in excavating or replacing the earth in any street, alley or public place, and of the pavement thereon, shall be under the supervision of the Street Commissioner, and shall promptly comply with any order of said commissioner in reference thereto. The earth removed in making any excavation shall be restored, and the pavement taken up shall be relaid by the said company in as good condition as before the making of such excavation or taking up of such pavement, and thereafter shall be maintained in as good condition as the surrounding pavement, until such street, avenue or highway in each case shall be repaved by the city. No street, avenue, alley or public place shall be incumbered for a longer period than shall be necessary to execute the work for which the excavation is made. The cost of restoring the earth or otherwise, arising from such excavations, and the laying of pavements and repairs thereto, caused by the opening of any such avenue, street, alley or public place, shall be paid by said company, and said work shall be done under the supervision of the Street Commissioner. In case the company shall fail to restore, relay or repair any pavement or street surface within 48 hours after receiving notice from the Street Commissioner that such work is required, said Street Commissioner shall have the right to cause such work to be done, and the cost thereof shall be paid by the company.

Sec. 4. And be it further ordained that said company shall indemnify the Common Council of the City of Plainfield against and assume all liability and damages which may at any time arise, come or occur to said city from any injury to persons or property from the doing of any work herein mentioned, or from the neglect of the company or its employes to comply with the provisions of any ordi-

nance of the city relative to the use of streets or other public places, especially as to the putting up of lights or barriers at or around excavations; and the acceptance by the company of this ordinance shall be an agreement by it to pay to the Common Council of Plainfield any sum of money for which the city may become liable from or by reason of such injury and damage.

Sec. 5. And be it further ordained that the said company shall file with the Mayor or City Clerk its acceptance of this ordinance within twenty (20) days from the date when such ordinance shall take effect, and shall also file with the City Treasurer a satisfactory bond with sureties approved by the Mayor in the sum of three thousand dollars ($3,000), that it will faithfully comply with and perform all of the terms and conditions of this ordinance.

Sec. 6. And be it further ordained that the said The New York and New Jersey Telephone Company shall provide sufficient space in said subways or underground conduits to accommodate the telegraph or telephone wires or conductors operated from time to time by the Police, Fire and other Departments of the City of Plainfield.

Sec. 7. And be it further ordained that said company shall pay into the City Treasurer all advertising and printing fees incurred by the city under this ordinance, and that this ordinance shall take effect immediately.

Approved November 11, 1897.

An Ordinance for Preventing or Removing from the Streets of the City of Plainfield Obstructions, Encroachments, Encumbrances and Nuisances, and Concerning the Laying Down of Iron, Lead, Glass, Wood or other Pipes for the Conveyance of Water or Gas in said Streets.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person or persons, or corporation, shall place or cause to be placed upon any of the streets, roads, highways, sidewalks or alleys of said city, any pipes or castings of iron or other metal, or of other hard substance without first obtaining from said Common Council a designation of the streets, roads, highways, sidewalks or alleys in which the same may be placed, and the manner of placing the same, under penalty of a fine not exceeding one hundred dollars for each offence.

Sec. 2. That no person or persons, or corporation, shall dig or plow, or otherwise disturb the surface of any of the streets, roads, highways, alleys or sidewalks of said city, without first obtaining from said Common Council a designation of such streets, roads,

highways, alleys and sidewalks, and of the manner in which the work may be done, under a penalty of a fine not exceeding one hundred dollars for each offence.

Sec. 3. That no person or persons, or corporation, shall lay down, or cause to be laid down, iron, lead, glass, wood or other pipes, for the conveyance of water or gas in the streets, highways, alleys and sidewalks of said city without first obtaining from the Common Council of said city a designation of the streets, highways, alleys and sidewalks in which the same may be laid, and in what part thereof the same may be laid, and the manner of laying the same, under a penalty of a fine not exceeding one hundred dollars for each offence.

Sec. 4. That any person or persons who, or corporation which, shall fail to remove from the streets, highways, sidewalks or alleys of said city, any pipes or castings of iron or other metal, or other hard substance, that shall have been placed or caused to be placed thereon by such person or persons, or corporation in violation of Section 1 of this ordinance, within twenty-four hours after being notified so to do by the Street Commissioner of said City, shall be liable to the penalty of twenty dollars fine for each day that such failure to remove as aforesaid shall continue.

Sec. 5. That any person or persons who, or corporation which, shall fail to remove from the streets, roads, highways, sidewalks or alleys of said city, any iron, lead, glass, wood or other pipes for the conveyance of water or gas, that such persons or corporation may have laid down or caused to be laid down contrary to the provisions of Section 2, of this ordinance, within twenty-four hours after being notified so to do by the Street Commissioner of said city, shall be liable to the penalty of twenty dollars fine for each day that such failure to remove as aforesaid shall continue.

Sec. 6. That nothing in the preceding sections of this ordinance shall be construed to prevent the repair of pipes laid in pursuance of the provisions of this ordinance, nor the repair of any gas pipes that shall have been laid prior to the adoption of this ordinance, nor to prevent the temporary use or disturbance of the streets, roads, highways, alleys and sidewalks for the purpose of making such repairs.

Sec. 7. That no person or persons, or corporation shall carry on or maintain a system of water works within the limits of the said City of Plainfield until there shall first have been introduced into said city a system of sewerage adequate and sufficient to carry off such water as may be supplied by said system of water works so as not to endanger the health or well-being of the inhabitants of said city; but nothing in this ordinance contained shall be construed to apply to or interfere with the contract heretofore entered into be-

tween said city and the Water Works Company of Plainfield. Any person or persons or corporation who shall violate any of the provisions of this section shall be liable to the penalty of a fine not exceeding one hundred dollars for every day that such violation shall continue.

Approved December 24, 1890.

An Ordinance Concerning the Use and Repair of Streets.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That in case the surface of any of the streets or sidewalks of said City shall have been disturbed or shall be disturbed by any person or persons or corporation, it shall be the duty of such person or persons or corporation respectively within ten days after such disturbance, or in case the same shall have already been made before the date on which this ordinance shall go into effect, then within ten days from the date last referred to, to cause said streets or sidewalks to be put as nearly as practicable in as good condition as the same were in before being disturbed as aforesaid, so that the same shall be hard, smooth, and even on the surface and of the same grade and level as before said disturbance was begun. And it shall further be the duty of any such person or persons or corporation in case any such disturbance as aforesaid or any work done in connection therewith by such person or persons or corporation has caused or shall at any time or times cause any depression or elevation in any street or sidewalk so disturbed to remedy said defect within ten days after being notified by the Street Commissioner in writing so to do. Any person or persons who or any corporation which shall violate any of the provisions of this ordinance shall on conviction thereof be punished by a fine not exceeding one hundred dollars for each and every offence.

Approved September 15, 1891.

An Ordinance to Establish Street Numbers for Parcels of Real Estate in the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the several parcels of real estate fronting on the streets, avenues, roads, lanes and alleys of the City of Plainfield shall be numbered and each of said parcels shall be known and designated by the number or numbers indicated on the official tax maps of said City, adopted by resolution of the Common Council

February seventh, nineteen hundred and ten, on file with the Collector of Taxes, and entitled as follows: "Block Assessment Maps of the City of Plainfield, Union County, New Jersey, First Ward, 1909," "Block Assessment Maps of the City of Plainfield, Union County, New Jersey, Second Ward, 1909," "Block Assessment Maps of the City of Plainfield, Union County, New Jersey, Third Ward, 1909," "Block Assessment Maps of the City of Plainfield, Union County, New Jersey, Fourth Ward, 1909," all made by F. J. Hubbard, Civil Engineer, and said maps are hereby adopted as the official maps of the City of Plainfield for the purpose of establishing street numbers, and the numbers shown on said maps are hereby established as the proper numbers of said parcels of real estate respectively.

Sec. 2. That the owner or owners of each and every dwelling house or store which now fronts upon any of the public streets, avenues, roads, lanes or alleys of said city on which the proper number is not now placed as hereinafter specified, shall within sixty days after this ordinance goes into effect, cause the proper number of such dwelling house or store to be placed in figures in some substantial manner in some conspicuous place on the front part of such dwelling house or store, so as to be plainly visible from the sidewalk, and in default of compliance herewith, shall be liable to a penalty of five dollars for each and every offence.

Sec. 3. That the owner or owners of every dwelling house or store that may hereafter be erected within the limits of said City, shall, within thirty days after the completion thereof, cause the proper numbers of such dwelling house or store to be placed in figures in some substantial manner in some conspicuous place on the front part of such dwelling house or store so as to be plainly visible from the sidewalk, and in default of compliance herewith, shall be liable to a penalty of five dollars for each and every offence.

Sec. 4. That to enable the owner or owners of any parcel of real estate fronting on any of the streets, avenues, roads, lanes or alleys of said City to ascertain the correct number thereof, it shall be the duty of the Collector of Taxes, upon application made to him, to allow such applicant to inspect said official maps and said official maps shall also at all proper times be open to the inspection of the public at the office of the Collector of Taxes.

Sec. 5. That in case the owner of any lot or lots shall at any time desire the renumbering thereof he shall be at liberty to apply to the Common Council by petition, which petition shall be accompanied by a properly prepared map showing the changes desired, and clearly showing how the numbers for the entire block would stand in case such renumbering is ordered. The applicant shall present with his said petition, proof by affidavit that a copy of said

petition together with notice of his intention to apply to the Common Council, has been served upon all of the owners of property fronting on the said block or published in all the officials papers of said City at least ten days prior to date of presentation of such petition, and thereupon the Common Council may in its discretion by resolution order said block to be renumbered in the manner specified in such application or in such other manner as they may deem best. In case the Common Council order any change in the numbering of said block, a map duly authenticated shall be filed with the Collector of Taxes showing the changes as made, and upon said map being so fi'ed, the numbers designated thereon shall, as to the block in question, supersede those on the original maps referred to in this ordinance.

Sec. 6. That the ordinance entitled "An Ordinance to Provide a New System of Street Numbers," approved March 22, 1892, and all other ordinances or parts of ordinances, so far as they are inconsistent herewith, be and the same are hereby repealed.

Approved December 5, 1910.

An Ordinance Locating the Tracks of the Plainfield Street Railway Company, and Regulating the Construction and Operation of the Same and Granting Permission to said Company to use Electric Motors as the Propelling Power of its Cars.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the tracks of the Plainfield Street Railway Company's railway be and are hereby located pursuant to the route designated in their articles of incorporation in the following streets and avenues of the City of Plainfield, to wit:

Beginning at a point at the intersection of West Sixth street with the southwesterly line of Park avenue and running thence through West Sixth street westerly to Plainfield avenue; thence through Plainfield avenue southerly to West Seventh street; thence through West Seventh street westerly to Monroe avenue; thence through Monroe avenue northerly to West Fourth street; thence through West Fourth street easterly to Grant avenue; thence through Grant avenue northerly to West Front street; thence through West Front street to the southwesterly side line of Park avenue, and also from Front street through Somerset street to the line of North Plainfield township.

And said Street Railway Company is hereby given the right to construct, maintain and operate its street railway in said streets within the City of Plainfield. A detailed plan of construction shall

be filed with the City Clerk by said company and be approved by said Common Council before any work is done under the permission herein granted.

Sec. 2. That the said company shall construct, maintain and operate a double track street railway in Front street from Grant avenue to Park avenue, and in other streets and avenues and portions thereof above designated. The said company shall construct, maintain and operate a single track street railway to be laid upon the middle line of the street (except when by ordinance of the Common Council shall otherwise expressly determine) with suitable turnouts and switches; **Provided,** that no turnout shall be more than one hundred and fifty feet in length, nor within five hundred feet of any other turnout on the same street; and provided also, that every turnout shall be laid equally on each side of the middle line of the street.

Sec. 3. Said Company shall keep in repair to the satisfaction of the Committee on Streets, the paving or other surface material of the portion of streets, roads and bridges occupied by its tracks, and in addition shall so keep in repair eighteen inches on each side of the said streets, roads, and bridges occupied by its tracks; or, if not so kept and maintained, the repairs thereto may be made by or under the direction of said Committee on Streets, and to their satisfaction, and the expense thereof shall be paid on demand by said company to said city; **Provided,** that the said Committee on Streets or a majority of them, shall give at least ten days' notice, in writing, of the intention to make such repairs; the said notice to be served upon any officer or employee of said company who may be found at their office or depot.

Sec. 4. The said company and its officers, servants, agents or employees shall not nor shall any or either of them be allowed to shovel, throw or place any snow, ice or slush alongside the said track or tracks, in any street or streets, in such manner as to obstruct other public travel therein; but, when removing such snow, ice or slush from said track or tracks, the said company or its said officers, servants, agents or employees, shall cause the same to be immediately levelled between said track or tracks and the gutter lines on each side thereof; under a penalty of twenty dollars to be paid by said company, or by any of its said officers, servants, agents or employees so offending to said city, for each and every offence.

Sec. 5. The rails to be used for said railway shall be of steel, and shall be of the best and most approved quality and pattern of side bearing rails, of not less than 66 pounds to the yard, and the sleepers, ties, chairs and spikes shall severally be of the best quality of their respective kinds; and both material and workmanship shall be subject to the inspection and approval of the Committee on

Streets; and said railway shall not be operated for the transportation of passengers, or fares be collected thereon, until such approval and acceptance by said Common Council or a majority of them.

Sec. 6. The company shall, in laying its tracks, switches and turnouts, conform in all cases, to the grade lines of the streets, as now established, or as they may be hereafter changed or established by the Common Council; and said company shall in case of any such change of grade, conform thereto, and alter such tracks, switches and turnouts at their own expense, and without unnecessary delay, and under the direction of said Committee on Streets; or in case of default, the said Committee on Streets shall make such a change, or cause the same to be made, and the expense thereof shall be paid, on demand, by said company to said city; **Provided,** ten days' notice of the committee's intention to make such change shall be given, and served in the same manner as in case of repairs as aforesaid.

Sec. 7. In passing over the gutters of any cross street where the bottom of such gutters is or may be below the grade line of such railroads, the rails shall be securely laid and fastened upon iron bridges of the most approved pattern; and such bridges shall be extended on each side of the track or tracks to the gutter line of the street in which said track or tracks is or are laid; the bridges and work to be subject to the inspection and approval of said Committee on Streets, in every particular.

Sec. 8. During the construction of said railroad, no unnecessary hindrance or obstruction to ordinary travel upon any such street or streets, shall be permitted; and if any accident or other casualty shall happen or occur, at any time, to any person or property, because or by reason of any work connected with such construction of said railroad or afterward because or by reason of any operation thereof, or through the carelessness or negligence of any of the company's officers or servants, agents or employees the said company shall be liable therefor, and shall indemnify and save said city harmless from all cost, loss or damage by reason thereof.

Sec. 9. No car belonging to said company shall be allowed to stand in or obstruct any cross street, or to stand upon any crosswalk, for any purpose or purposes whatsoever; nor to stand or remain in any one position, upon any street, for more than five minutes at one time; except when said car shall be unavoidably obstructed or detained without the fault or negligence of said company, or any of its officers, servants, agents or employees under the penalty of five dollars to be paid by said company to said city for each and every offence. And that cars stopping to take up or let off passengers at any street crossing, shall in all cases do so upon the far side of such street crossing.

Sec. 10. The said city reserves the right to dig or excavate in or upon any such street in which said railway shall be so constructed for the purpose of laying, examining, repairing or replacing any water or sewer pipe or other pipe or making or shutting off any connection therewith, or for the purpose of making any other public improvement, or of doing any other public work of any kind whatsoever; and the said company shall not have any recourse against said city therefor, for damages or otherwise, because of any detention or obstruction to the travel upon said railroad arising therefrom.

Sec. 11. If the said company shall fail to build or construct that part of said road lying between the point at the corner of Monroe avenue and West Seventh street and the point at the intersection of Front street and the southwesterly line of Park avenue, with its turnouts and switches in the manner aforesaid, and to put the same in complete operation for the transportation of passengers, within six months next after the passage of this amended ordinance, and the rest of said road within nine months after the passage of a resolution by the Common Council directing said company to proceed and complete the road as aforesaid, daily and every day for the space of three consecutive months, all the rights, powers, and privileges, and every one of them, of said company, their successors or assigns, under and by virtue of this ordinance, shall thereupon cease and be determined, and this ordinance shall become null and void, so far as the grant of any such right, power or privilege to said company is concerned and, in either of such cases, the Common Council expressly reserve the right to cause the said railroad, or any part or parts thereof, so constructed, to be removed from said street or streets, or any of them and to sell and dispose of the materials thereof by public auction, and, after paying all the expenses of such removal and sale and of repairing the said street or streets, and of restoring the same as nearly as possible to its or their original condition to pay the balance of the proceeds of such sale to the said company, or its successors or assigns; **Provided**, that no notice of such sale shall be required to be given, other than an advertisement, signed by the City Clerk, and published in one or more newspapers printed and published in said city.

Sec. 12. That the cars shall be of the pattern known as the vestibule cars. They shall be lighted by electricity and properly heated in Winter, and shall be similar in construction and design to the cars of the Rapid Transit Street Railway Company of the City of Newark, N. J. The company shall use upon its cars the Climax or other noiseless gearing, and shall have proper bells or gongs, and shall be run at a speed of not more than twelve miles an hour.

Sec. 13. That the cars to be used on said railroad shall be pro-

pelled by electricity supplied by overhead wires; that the poles necessary for the overhead electric construction shall be of steel or iron, they shall be placed between curb lines and sidewalk, opposite each other, and shall be located as nearly as may be one hundred and twenty-five feet apart. The trolley wire shall be properly guarded so as to prevent other wires coming in contact therewith. The current used by said company to propel its cars shall not exceed five hundred volts.

Sec. 14. That the fares charged for the transportation of passengers over the said railway within the City of Plainfield, shall be as follows: Children under four years of age, free; children over four and under ten years of age not occupying seats required by other passengers, three cents. All others five cents. School tickets shall be sold for three cents to all children actually attending school, and to all teachers engaged in teaching school within the City of Plainfield. That said company shall maintain a system of transfers for a continuous ride within the city limits for a single fare on all lines now or hereafter owned or operated by said company, and also to give and receive like transfers to and from all the lines of other street railways upon any equitable basis that can be agreed upon by said companies. And in case of failure of any two of said companies to agree upon any such equitable basis of transfer, the question shall be submitted to three arbitrators, one to be chosen by each of the disagreeing companies, a like number by the Common Council of the City of Plainfield, and a fifth by those so chosen, the decision of a majority of such arbitrators to be final and conclusive and binding upon each of the companies.

Sec. 15. That no license fee shall be charged for the running of the cars of the said company for the period of five years from the date of the adoption of this ordinance; that for each and every year next following said first term of five years there shall be paid to the city a license fee of twenty dollars per annum for every car operated by said company.

Sec. 16. That the cars of the said company shall be run under the following minimum headway: Between six A. M. and ten A. M., fifteen minutes; between ten A. M. and three P. M., thirty minutes; between three P. M. and eight P. M., fifteen minutes; between eight P. M. and midnight, thirty minutes. The said headway to be reduced as the service requires. Said company shall run its cars in both directions along all portions of its route so that there shall be an equal number of trips each way daily.

Sec. 17. That when any improvements or other method of furnishing power for the propulsion of cars by electricity shall have been determined to be a practical success, by a commission consisting of three electrical engineers, one to be selected by the Common

Council, one by the said company, and the third by the two so chosen, such company shall within six months after the passage of a resolution by the Common Council requiring the same to be done, and notice thereof given to said company to adopt such improvements or take down their overhead construction, and substitute therefor such new methods of propulsion; **Provided**, such commission may be appointed at any time the Mayor and Common Council may by resolution require, and the said company shall appoint its representative within thirty days after the adoption of such resolution, or forfeit the permission hereby given; and if such commission shall report in favor of the adoption of such improvements or method for propulsion of cars by electricity hereby permitted, another commission or commissions may be appointed as often as the Common Council may require in the same manner and subject to the same condition.

Sec. 18. In case such substitution is made, or the said company shall forfeit the permission hereby given by refusal to appoint a member of the commission as in the last section provided for, the Common Council may order the poles and overhead construction of the said company taken down, and the said company shall within ninety days from the service of such order upon the President or any director of said company take down and remove such poles and overhead construction, and restore the pavement of the street or streets to its original condition within that time. In case the poles and overhead construction are not removed or the street restored to its original condition by any company within ninety days from the service of such order, the same shall be done by the Street Commissioner, at the expense of said company, and the company shall in that case pay all expenses connected therewith on demand, and in case the city shall remove such poles and overhead construction, the same shall thereupon become and be the property of the city.

Sec. 19. That said company upon the final adoption of this ordinance and before exercising any of the rights and privileges granted hereby, shall, as a condition precedent, file with the City Clerk of the City of Plainfield a contract to be executed by said company and duly approved by the Corporation Counsel, wherein said company covenant and agree with the inhabitants of the City of Plainfield to abide by and perform all the matters and things in this ordinance as the same shall be amended by the proposed amendment introduced April 4, 1892, on the part of said company to be observed, kept and performed; that it will, at any and all times hereafter, fully indemnify and protect the City of Plainfield of and from any and all suits, actions and proceedings that may be brought and maintained, or sought to be brought and maintained, by any person or corporation for, on account of or by reason of, the adoption or mainten-

ance by said company, its successors or assigns of said electric system aforesaid, or the construction or maintenance of said electric system, or any thing connected therewith, or any act of omission or commission by said company, its successors or assigns or any of its agents or servants, at any time or times, and shall whenever requested by said city, fully defend any and every such action, suit or proceeding.

Sec. 20. That said company shall also at the same time herein above specified for filing said contract, file a bond to the city in the sum of twenty thousand dollars to be approved as to form by the Common Council and Corporation Counsel of said city, conditioned for the full and faithful keeping, observance and performance of the terms and conditions in this ordinance "as the same shall be amended by the proposed amendment introduced April 4, 1892," contained, on part of said company to be kept, observed or performed. And in case the conditions or terms upon which said company is granted permission to locate its tracks and maintain and operate its road or any of the terms or conditions of the said contract are violated; the city reserves the right to revoke the permission herein granted, to remove the tracks of the said company and all the constructions made in the streets of the city by the said company, its successors or assigns.

(Amendment of May 4, 1892.)

That in case it shall be hereafter judicially determined that the provisions of the ordinance to which this is an amendment or the provisions of said ordinance as amended hereby, which authorize the erection of poles in the streets of the city are invalid, the intention of the Common Council and of the said Plainfield Street Railway Company is that the rest of the ordinance shall remain in force subject to the option of the Common Council to repeal the same in case said company fail within six months after notice to agree with the Common Council upon some other method of propulsion for their street cars.

Approved April 27, 1891.

An Ordinance Authorizing the Plainfield Street Railway Company to Extend the Location of Its Tracks.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the Plainfield Street Railway Company be and is hereby authorized to extend the location of its tracks as follows: From the southwest side line of Park avenue on West Front street, through East Front street to Peace street, thence through Peace

street to its intersection with the northeasterly side line of North avenue, the track to be a single track to be laid in the centre of said streets (with the necessary switches and turnouts on Peace street at the end of the route), under the same restrictions as are applicable with respect to the route heretofore located by ordinance, **Provided,** that said company, upon the final adoption of this ordinance, and before exercising any of the rights or privileges granted hereby, shall, as a condition precedent, execute and file with the City Clerk a contract and a bond to be duly approved by the Corporation Counsel, which contract and bond shall be of like tenor and effect as specified in sections numbered 19 and 20 in the original ordinance locating the tracks of said company, except that said contract and bond shall apply and relate to the extension hereby granted.

Approved October 4, 1892.

An Ordinance Locating the Tracks of the Extension of the Plainfield Street Railway Company, and Regulating the Construction and Operation of the Same, and also Concerning the Compensation to be Paid by said Plainfield Street Railway Company to the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the tracks of the extension of the Plainfield Street Railway Company's railway be and are hereby located in the following streets, roads and alleys of the City of Plainfield:

Route 1. From the present terminus of the road in Watchung avenue through Watchung avenue to East Fifth street, through East Fifth street to Richmond street, through Richmond street to Putnam avenue, and through Putnam avenue to Woodland avenue, through Woodland avenue to South avenue, through South avenue to the station of the Central Railroad of New Jersey, at Netherwood. Also from Watchung avenue, through Fourth street to Grant avenue.

Route 2. From the present terminus of the road in Front street at Grant avenue to the city line at Dunellen.

And in those portions of said streets, roads and alleys marked out and shown on map filed in the office of the City Clerk of said city entitled "Map showing location of tracks, turn-outs and poles for proposed extension of Plainfield Street Railway, No. 2, and signed by John T. Fritts, Vice-President, dated September, 1895," to which reference is made and the same hereby made a part of this ordinance; and the said company is hereby given the right to construct, maintain and operate its extension to its street railway in said por-

tions of said streets, roads and alleys under and subject to certain restrictions and regulations hereinafter specified or referred to; the same being usch restrictions and regulations as the Common Council hereby deem requisite for the public interests, as well as subject to such further reasonable regulations as may be hereafter enacted by said Common Council. A detailed plan of construction shall be filed with the City Clerk by said company, and be approved by said Common Council before any work is done under the permission herein granted.

Sec. 2. That the said company shall construct, maintain and operate a single track railway for said extension, to be laid upon the middle line of the street, except on Watchung avenue; between North avenue and East Fourth street, and shall construct the tracks, switches, turnouts and poles in the manner and at the points and places indicated for the same on said map. The poles shall be constructed and set and the wires strung thereon in the same manner as the poles are constructed and set in the ground, and wires strung on poles on the line of street railways now operated in the City of Plainfield by the Plainfield Street Railway Company.

Sec. 3. That said company shall keep in repair to the satisfaction of the Committee on Streets, the paving or other surface materials of the portion of streets, roads and bridges occupied by its tracks, and in addition shall so keep in repair eighteen inches on each side of the portion of said streets, roads and bridges occupied by its tracks. In case of double tracks, or switches or turnouts, the expression "occupied by its tracks" shall be construed to mean all space in the street between the outermost rails. In case the city shall at any time determine to pave or repave any street or section of a street, the said company shall forthwith repave any portion of said street or section of street which may be occupied by the company's tracks and for eighteen inches beyond, with same material and in same manner, and shall do so at the company's expense under the supervision of the Street Commisioner. If said company shall at any time fail to comply with any of the requirements of this section, the work or repairs hereinabove specified may be done or made by or under the direction of said Committee on Streets, and to their satisfaction, and the expense thereof shall on demand be paid by said company to said city; **Provided** that the said Committee on Streets or a majority of them shall give at least ten days' notice in writing of the intention to do such work or make such repair, said notice to be served upon any officer or employee of said company who may be found at their office or depot.

Sec. 4. The said company and its officers, servants, agents or employees shall not, nor shall any or either of them be allowed to shovel, throw or place any snow, ice or slush alongside the said

track or tracks, in any street or streets, in such manner as to obstruct other public travel therein; but, when moving said snow, ice or slush from said track or tracks, the said company or its officers, servants, agents or employees shall cause the same to be immediately levelled between said track or tracks and the gutter lines on each side thereof unless the fall of snow shall have been too heavy to make it practicable to level the same as aforesaid; in which latter case the said company shall pay its pro rata of the expense of the removal of said snow. Upon violation of any of the provisions of this section, there shall be incurred a penalty of ten dollars for every city block on which such violations shall take place, but said penalty shall not aggregate more than one hundred dollars in any one day; said penalties to be paid to the city by the said company or by any of its said officers, agents or employees so offending for each and every offence.

Sec. 5. That the rights and privileges intended to be given by this ordinance to said company are subject to all limitations, provisions, terms and conditions set forth and contained in sections 5, 6, 7, 8, 9, 10, 13, 14, 16, 17 and 18 of the ordinance of the city, entitled, "An ordinance locating the tracks of the Plainfield Street Railway Company and regulating the construction and operation of the same and granting permission to said company to use electric motors as the propelling power of its cars," approved April 27, 1891, to the same extent and with the same effect as if said sections were re-enacted in full as a part of this ordinance.

Sec. 6. That the gauge of the tracks of said company to be hereafter laid shall be four feet eight and one-half inches, and the other tracks of said company already laid may be made of the same gauge. That all the cars of the said company shall be similar to those now in use by it or such as shall be approved by the Common Council of said city. They shall be lighted by electricity, and properly heated in Winter. Said company shall use upon its cars the Climax or other noiseless gearing and equip said cars with proper bells or gongs, and said cars shall be run at a speed of not more than ten miles an hour. No salt shall be used by said company on any part of its tracks. For violation of any of the conditions of this section there shall be incurred a penalty of ten dollars for each offence and ten dollars additional for every day that such violation shall continue, not exceeding one hundred dollars on any one conviction.

Sec. 7. That said company shall on or before the first day of March, 1896, equip each street railway car by it operated or run within the City of Plainfield, with fenders of the most approved pattern, to be approved by the Mayor of the city, and so attached to the car as best to protect from injury persons or vehicles using

the streets or riding on the said cars; that after said last mentioned date no street railway car, the motive power of which is electricity, shall be operated or run upon any of the streets of said city, unless such car is equipped with fenders as above required, and in case any such car is operated or run contrary hereto the said company and every person or persons who shall either as president, manager, conductor, motorman or otherwise be engaged in so operating or running any such car shall be deemed to have violated this section, and on conviction shall forfeit and pay fifty dollars for each day during which such violation shall continue, not exceeding one hundred dollars for any one conviction.

Sec. 8. The said company shall build or construct its extensions in the order specified in Sec. 1, and if the said company shall fail to build or construct the lines mentioned in route 1 of this ordinance with turnouts and switches in the manner aforesaid, and put the same into complete operation for the transportation of passengers within nine months after the passage of this ordinance, and if the said company shall fail to build or construct the lines mentioned in route 2 of this ordinance with turnouts and switches in the manner aforesaid, and put the same into complete operation for the transportation of passengers within twelve months after the passage of this ordinance; or shall afterwards fail or neglect to operate the same as aforesaid, all the rights, powers and privileges and every one of them of said company, their successors or assigns, under and by virtue of this supplemental ordinance, shall thereupon cease and determine, and this ordinance shall be null and void so far as the grant of any such right, power and privilege to said company is concerned, and in either of such cases the Common Council expressly reserves the right to cause the said railroad or any part or parts thereof, so constructed, to be removed from said street or streets, or any of them, and to sell and dispose of the materials thereof by public auction, and after paying all the expenses of such removal and sale and of repairing the said street or streets, and of restoring the same as nearly as possible to its or their original condition, to pay the balance of the proceeds of such sale to the said company, or its successors or assigns, **Provided**, that no notice of such sale shall be required to be given, other than advertisement, signed by the City Clerk, and published in any one or more newspapers printed and published in said city. The time during which the said company shall be delayed in the prosecution of its work or in the operation of its road or in any section thereof by injunction or other legal proceedings in the courts of New Jersey, or the federal courts in New Jersey, shall not be included within the nine and twelve months within which the said extensions are to be constructed and put into complete operation.

Sec. 9. The said company shall for each and every mile of street occupied by its tracks laid already or that shall hereafter be laid by said company, whether under the provisions of the ordinance hereinabove referred to, approved April 27, 1891, or the amendment thereof approved May 4, 1892, or under the ordinance entitled, "An Ordinance authorizing the Plainfield Street Railway Company to extend the location of its tracks," approved October 4, 1892, or under this ordinance, or under any other ordinance and also for every mile of street occupied by tracks that may be owned or operated or that may be hereafter owned or operated by said company within the limits of the City of Plainfield, pay or cause to be paid to the collector of taxes of said city for the use of the said city, the following sums, to wit: For the year beginning January 1, 1896, fifty dollars a mile; for the year beginning January 1, 1897, seventy-five dollars a mile; for the year beginning January 1, 1898, seventy-five dollars a mile; for the year beginning January 1, 1899, one hundred dollars a mile; for the year beginning January 1, 1900, one hundred dollars a mile; for the year beginning January 1, 1901, one hundred and twenty-five dollars a mile, for each and every mile of track; said payments to be made each and every year on or before the last day of each year. For the years succeeding that beginning 1901 the said company shall pay at the same rate as for the year 1901, provided that when the gross receipts in any one year from the entire system within the City of Plainfield and the Borough of North Plainfield shall equal or exceed eighty thousand dollars, then for that year and annually thereafter, the said company shall pay annually to said City Collector for the use of said city five per cent. of the gross earnings of said company, and said gross earnings shall be construed to include all earnings of said company and full proportion on all earnings on through traffic to be calculated according to the proportion between the entire length of the journey and the number of miles traveled within the limits of the City of Plainfield or the Borough of North Plainfield or both as the case may be. That to enable the city to ascertain from time to time the amount of gross earnings of said company the books of the company shall be open to inspection by the Finance Committee of the Common Council or such other person or persons as the Common Council for that purpose shall designate. The payment provided for in this section shall be in lieu of all license fees for cars, whether provided for in prior ordinances or not.

Sec. 10. That the tracks and cars of said company shall be used for the carrying of passengers only; that no freight shall be carried by said company or over its tracks, and that no luggage other than hand luggage actually carried by passengers shall be carried or allowed upon the cars of said company or any other cars

passing over said tracks. Nothing herein contained, however, shall prevent the company from carrying the U. S. mail. That cars shall not be run in trains of more than two cars over any of the tracks of said company, and that all cars shall stop upon being signaled by any foot passenger at any street corner past which said tracks are or shall be laid, and passengers shall be freely allowed to board said cars or alight therefrom at any street corners, and said company shall cause the cars to come to a full stop and sound the gong or bell immediately before turning any curve on road now constructed or to be constructed. Any violation of any of the provisions of this section by said company or any of its employees shall be subject to a penalty of twenty dollars fine for each and every offence.

Sec. 11. That in case the said company shall lease its tracks, or any section of the same, or sell, or assign its franchises, or attempt so to do, said company shall cause to be inserted in any such lease, deed, bill of sale, assignment or other transfer, a stipulation and agreement and condition that the same is made subject to the provisions of this ordinance, and that the lessee, vendee, assignee or other person to whom such lease, conveyance, assignment or transfer may be made or attempted to be made in accepting the same agrees to be bound thereby and to conform thereto, and will in turn insert a clause similar to that required by this section in case of any lease, conveyance, assignment or transfer thereof to be made, so that no persons or corporations shall acquire any rights in the premises except subject to the same terms and conditions as herein provided.

Sec. 12. That said company upon the final adoption of this ordinance and before exercising any of the rights and privileges granted hereby, shall as a condition precedent file with the City Clerk of the City of Plainfield a contract to be executed by said company and duly approved by the corporation counsel, wherein said company covenant and agree with the inhabitants of the City of Plainfield, to abide by and perform all the matters and things herein, on the part of said company required to be observed, kept and performed; that it will, at any and all times hereafter, fully indemnify and protect the City of Plainfield of and from any and all suits, actions and proceedings that may be brought and maintained, or sought to be brought and maintained, by any person or corporation for, on account of or by reason of, the adoption or maintenance by said company, its successors or assigns, of said electric system aforesaid, or the construction or maintenance of said electric system or any thing connected therewith, or any act of omission or commission by said company, its successors or assigns or any of its agents or servants, at any time or times, and shall whenever re-

quested by said city, fully defend any and every such action, suit or proceeding.

Sec 13. That said company shall also at the same herein above specified for filing said contract, file a bond to the city in the sum of twenty thousand dollars to be approved as to form by the Common Council and Corporation Counsel of said city, conditioned for the full and faithful keeping, observance and performance of the terms and conditions in this ordinance contained, on the part of this company to be kept, observed and performed. And in case the conditions or terms upon which said company is granted permission to locate its track and maintain and operate its road or any of the terms or conditions of said contract are violated, the city reserves the right to revoke the permission herein granted, to remove the tracks of the said company and all the constructions made in the streets of the city by said company, its successors or assigns.

Sec. 14. The company shall file with the City Clerk, within thirty days next after the passage of this ordinance, their acceptance, under their corporate seal and signed by their president, of the terms and provisions, restrictions and regulations hereof, and everyone of them, and, in default thereof, it shall be understood and held that they decline to accept the same, and thereupon all rights, powers and privileges, to them granted thereby, shall forever cease and be at an end, in the same manner and with the same effect as if this ordinance had never been passed.

Approved January 3rd, 1896.

An Ordinance Locating the Tracks of the Extension of the Plainfield Street Railway Company in Richmond Street and East Second Street, and over a Private Right of Way to the Line of the City of Plainfield in Terrill Road, and Authorizing and Empowering the Construction and Operation and Maintenance of the same and Granting Permission for Said Company to Use Electricity as the Propelling Power of its Cars and Prescribing the Terms and Conditions Upon Which the Said Location of the Tracks and Permission are Granted.

Whereas, The Plainfield Street Railway Company, a street railway corporation organized under the provisions of the laws of the State of New Jersey, and operating a street railway in the City of Plainfield, did present their petition or application to the Mayor and Common Council of the City of Plainfield, New Jersey, praying the said Mayor and Common Council of the City of Plainfield for their consent to the construction, operation and maintenance of an extension of its street railway in the City of Plainfield, from a point in

its present line of tracks in East Fifth street opposite to Richmond street; thence westerly through Richmond street to East Second street; thence northerly through East Second street to the present terminus of East Second street between Netherwood avenue and Leland avenue; thence along a right of way through private property to the line of the City of Plainfield in Terrill road, and,

Whereas, Public notice has been duly given of such application and of the intention of the Council of the City of Plainfield, to consider the same by publication and also by posting a copy of the said notice in five or more of the most public places in the said City of Plainfield, at least fourteen days prior to the date fixed for the meeting of the said Council of the City of Plainfield to consider said application; and,

Whereas, Upon the day fixed by said notice for said hearing and upon the days to which the said hearing was regularly adjourned, public hearing was given to all persons desiring to be heard, in favor of or opposed to or in anywise interested in the said application for the location of the said tracks of the said street railway company and the said matter having been duly considered by the Council of the City of Plainfield, and the said Council having determined to grant permission for the construction, maintenance and operation of such street railway upon the streets, highways or public places designated in such petition, and the said company having filed with the clerk of the City of Plainfield, the consent in writing of the owners, or their duly authorized legal representatives, of at least one-half in amount of the lineal feet of property on said Richmond street from East Fifth street to East Second street and on East Second street, from Richmond street to the present terminus of East Second street between Netherwood avenue and Leland avenue, and thence along a right of way through private property to the line of the City of Plainfield in Terrill road.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the tracks of the extension of the Plainfield Street Railway Company's Railway be and are hereby located in the following streets, roads and alleys of the City of Plainfield: From a point in the present ilne of tracks of the Plainfield Street Railway Company in East Fifth street, opposite to Richmond street; thence westerly through Richmond street to East Second street; thence northerly through East Second street to the present terminus of said East Second street, between Netherwood avenue and Leland avenue; thence along a right of way through private property northeasterly on a curve having a radius of four hundred and seventy-one feet and eight-tenths of a foot, two hundred and one feet and seventy-four hundredths of a foot; thence north twenty-one

degrees and five minutes east two hundred and eigthy-three feet and twenty-three hundredths of a foot; thence easterly on a curve with a radius of one thousand and eleven feet and five-tenths of a foot, four hundred and five feet and fifteen hundredths of a foot; thence north forty-four degrees two minutes east, two thousand three hundred and four feet and twenty hundredths of a foot to the line of the City of Plainfield in Terrill road, and in those portions of said streets, roads and alleys marked out and shown on map filed in the office of the City Clerk of said city, entitled "Map showing location of tracks, turnouts and poles for proposed extension of Plainfield Street Railway, No. 3" and signed by Thomas A. Nevius, President, dated August, 1898, to which reference is made and the same hereby made a part of this ordinance, and the said company is hereby given the right to construct, maintain and operate its extension to its street railway in said portions of said streets, roads and alleys, under and subject to certain restrictions and regulations hereinafter specified or referred to, the same being such restrictions and regulations as the Common Council hereby deem requisite for the public interests as well as subject to such further reasonable regulations as may be hereinafter enacted by said Council. All rights and privileges under this ordinance conferred upon said company shall cease and expire on the first day of January, A. D., 1998, and thereupon on demand, said company will forthwith remove all of its said tracks from the streets, lanes and alleys of said city. A detailed plan of construction shall be filed with the City Clerk by said company and be approved by said Common Council before any work is done under the permission herein granted. This ordinance is furthermore passed upon the express condition that if at any time hereafter the said city or its Common Council shall locate the tracks of any other street railway company or grant consent to the location of the tracks of any other street railway company over that portion of Richmond street lying between the southerly line of North avenue and the northerly line of East Third street, such other street railway company shall have the right to use the tracks and poles of said Plainfield Street Railway Company that may be laid or erected on said portion of Richmond street in common with said Plainfield Street Railway Company upon terms to be agreed upon between such other company and said Plainfield Street Railway Company, or in case said two companies shall fail for the space of thirty days next after demand made upon them by such other company to agree upon the terms, then upon terms to be established and determined by the Common Council of said City of Plainfield.

Sec. 2. That said company shall construct, maintain and operate a single track railway for said extension, to be laid upon the middle line of Richmond street and East Second street to the pres-

ent terminus of East Second street; thence along a right of way, through private property, to the line of the City of Plainfield in Terrill road; it shall construct, operate and maintain a double track street railway, and shall construct the tracks, switches, turnouts and poles in the manner and at the point and places indicated for the same on said map; the poles shall be constructed and set and the wires strung thereon in the same manner as the poles are constructed and set in the ground and wires strung on poles on the line of street railway now operated in the City of Plainfield by the said Plainfield Street Railway Company.

Sec. 3. That said company shall keep in repair to the satisfaction of the Committee on Streets the paving or other surface material of the portion of streets, roads and bridges occupied by its tracks and in addition shall so keep in repair eighteen inches on each side of the portion of said streets, roads and bridges occupied by its tracks. In case of double track or switches or turnouts, the expression "occupied by its tracks," shall be construed to mean all space in the street between the outermost rails. In case the city shall at any time determine to pave or repave any street or section of street, the said company shall forthwith repave any portion of said street or section of street which may be occupied by the company's track and for eighteen inches beyond, with same material and in same manner, and shall do so at the company's expense under the supervision of the Street Commissioner. If said company shall at any time fail to comply with any of the requirements of this section, the work or repairs hereinabove specified may be done or made by or under the direction of the said Committee on Streets, and to their satisfaction, and the expense thereof shall on demand be paid by said company to said city; **provided**, that the said Committee on Streets or a majority of them shall give at least ten days' notice in writing of the intention to do such work or make such repairs, said notice to be served upon any officer or employee of said company who may be found at their office or depot.

Sec. 4. The said company and its officers, servants, agents or employees shall not nor shall any or either of them be allowed to shovel, throw or place any snow, ice or slush along the side of said track or tracks in any street or streets in such a manner as to obstruct other public travel therein; but, when moving said snow, ice or slush from said track or tracks the said Company or its officers, servants, agents or employees shall cause the same to be immediately leveled between the said track or tracks and the gutter line on each side thereof unless the fall of snow shall have been too heavy to make it practicable to level the same aforesaid; in which latter case the said company shall promptly remove all such excess of snow. Upon violation of any of the provisions of this section,

there shall be incurred a penalty of Ten Dollars for every city block in which any such violation shall take place, but said penalty shall not aggregate more than One Hundred Dollars in any one day or on any one conviction; said penalty to be paid to the city by the said company or by any of its said officers, agents or employees so offending for each and every offence.

Sec. 5. That the rights and privileges intended to be given by this ordinance to said company are subject to all limitations, provisions, terms and conditions set forth and contained in sections 5, 6, 7, 8, 9, 10, 13, 14, 16, 17 and 18 of the ordinance of the city entitled "An ordinance locating the tracks of the Plainfield Street Railway Company and regulating the construction and operation of the same and granting permission to said company to use electric motors as the propelling power of its cars," approved April twenty-seventh, 1891, to the same extent and with the same effect as if said sections were re-enacted in full as part of this ordinance.

Sec. 6. That the gauge of the tracks to be laid hereunder shall be four feet eight, eight and one-half inches. That all the cars of the said company shall be similar to those now in use by it or such as shall be approved by the Common Council of said city. They shall be lighted by electricity and properly heated in winter. Said company shall use upon its cars the Climax or other noiseless gearing and equip said cars with proper bells or gongs, and said cars shall be run at a speed of not more than ten miles an hour. No salt shall be used by said company on any part of its tracks. For violation of any of the conditions of this section there shall be incurred a penalty of ten dollars for each offence and ten dollars additional for every day that such violation shall continue, not exceeding one hundred dollars on any one conviction.

Sec. 7. The cars to be operated or run upon the extension of the railway of the Plainfield Street Railway Company hereby authorized to be constructed shall be equipped with fenders of the pattern approved by the Mayor of the city, and so attached to the cars as best to protect persons and vehicles using the street and persons riding on the cars from injury.

Sec. 8. The said company shall build or construct the extension hereby authorized with turnouts and switches in the manner aforesaid and put the same into complete operation for the transportation of passengers on or before July 1st, A. D., 1899, and upon failure so to do or upon failure or neglect to operate the same as aforesaid all the rights, powers and privileges and every one of them of the said company, their successors and assigns, under and by virtue of this supplemental ordinance shall thereupon cease and determine and this ordinance shall be null and void so far as the grant of any such rights, power and privilege to said company is

concerned, and in either of such cases the Common Council expressly reserve the right to cause the said railroad or any port or parts thereof, so constructed, to be removed from said street or streets or any of them and to sell and dispose of the material thereof by public auction, and, after paying all the expenses of such removal and sale and of repairing the said street or streets and of restoring the same, as nearly as possible to its or their original condition, to pay the balance of the proceeds of such sale to the said company or its successors or assigns, **provided**, that no notice of such sale shall be required to be given, other than an advertisement signed by the City Clerk, and published in any one or more newspapers printed and published in said city. The time during which the said company shall be delayed in the prosecution of its work or in the operation of its road or in any section thereof by injunction or other legal proceedings in the courts of New Jersey, or the Federal Courts shall not be included within the period within which the said extension is to be constructed and put into complete operation.

Sec. 9. All tracks of the Street Railway Company now laid or hereafter to be laid, are to be copiously watered throughout their entire length and for the space of two feet on each side thereof, twice in each day, from the 15th day of May to the 1st day of October in each year; once before 11 A. M., and once after 2 P. M., and in case of the failure of the Street Railway Company so to do, to the satisfaction of the Street Commissioner or the Common Council, said company shall pay to the Treasurer of the City of Plainfield the sum of $20.00 per day for each and every day such failure shall continue to exist; such payment to be considered as liquidated damages for such default.

Sec. 10. The said company shall for the fifty years beginning January first, 1899, as compensation for the rights granted under this ordinance, pay the Collector or other receiving officer of the City of Plainfield, for the use of the said city, a sum equal to five per cent. of the gross earnings of the company on the tracks hereby authorized to be laid, and for the succeeding twenty-five years shall pay to the Collector or other receiving officer of said city, for the use of said city, a sum not to exceed seven and one-half per cent. and not less than five per cent. of the gross earnings of the company upon the tracks; and during the next twenty-four years a sum not greater than ten or less than five per cent. of the gross earnings upon said tracks. The percentages to be paid as aforesaid for either or both of said last periods of twenty-five and twenty-four years respectively, if not mutually agreed upon between the said city and the said company within sixty days respectively after the beginning of said respective periods shall be fixed within the limits of the percentages as above specified by three arbitrators, one to

be appointed by the city, one by the said company and the third by the Circuit Court of the County of Union on five days' notice, and if for either or both of said periods last referred to said company shall fail to agree with the city upon the percentage or percentages, and also fail to appoint its arbitrator, and notify the city in writing of said appointment within five days after notice to appoint such arbitrator, then the percentage or percentages to be paid by said company annually for such period or periods, respectively, shall be the maximum percentage for such period or periods above specified. The gross earnings shall be construed to be all the earnings of the company upon said tracks hereby authorized to be laid, including the full proportion of the earnings on traffic within the City of Plainfield and other traffic to be computed according to the proportion between the length of the journey and the number of miles traveled upon the tracks hereby authorized to be laid, provided that the annual gross earnings of the said company upon said tracks hereby authorized to be laid shall for the purpose of entitling the city to said percentage, and fixing the minimum sum on which said percentage shall be paid, be deemed and taken to be not less than such sum as would be produced by adding to all fares of five cents each or less than five cents each, paid during the year upon said portion of said tracks, two and one-half cents each for all other passengers carried upon said tracks or any portion thereof, above the age of ten years, and one and one-half cents each for all other passengers between the age of four and ten years carried over any portion of the tracks hereby authorized to be laid during the year. And to enable such calculation to be readily made the said company, its successors or assigns, will at all times cause separate returns to be made and properly tabulated in its books showing the number of passengers carried and the fares paid upon the line of tracks hereby authorized to be laid or any portion thereof, and the number of passengers carried on any part of said tracks who paid more than five cent fares per passenger, or who paid fares beyond the line of tracks hereby authorized, and also showing the number of passengers carried upon any portion of any of the tracks of said company located within the territory of the City of Plainfield or the Borough of North Plainfield, and the fares paid by them, whether such fares were paid within or without such territory, and a further table showing the proportion of earnings referred to in the first part of this paragraph; and annually between the first day of January and the fifteenth day of January in each year the said company, its successors and assigns, will file with the City Clerk of said city a complete and detailed statement, signed by its president or vice-president and its treasurer, showing in fact what were the gross earnings

for the year ending the first day of said month upon said tracks, and a table similarly signed showing in detail the total minimum amount of gross earnings as they would be calculated according to the terms of this section, and similar statement showing gross earnings on all the tracks of said company within the City of Plainfield or the Borough of North Plainfield, either and both. That to enable the City to ascertain from time to time the amount of gross earnings of such company, or to ascertain any facts required to be entered as aforesaid, the books of the company shall from time to time when required, be opened in Plainfield to inspection by the Finance Committee of the Common Council or such other person or persons as the Common Council for that purpose shall designate. The payment provided for in this section shall, as to the line of tracks hereby authorized, be in lieu of all license fees for cars whether provided for in prior ordinances or not, but the moneys to be paid by said company to the city, as to all tracks heretofore authorized, shall be determined according to prior ordinances, except that in determining the amounts payable to the city under such prior ordinances, there shall be added to gross receipts on the other tracks the gross receipts of the line of tracks hereby authorized, and when the total in any one year shall equal or exceed Eighty Thousand Dollars for the entire system within the City of Plainfield and the Borough of North Plainfield, including gross earnings on tracks hereby authorized, then for that year and annually thereafter, there shall be paid as aforesaid to the collector of said city, for the use of the city, five per cent. of the gross earnings on tracks heretofore authorized, and on gross earnings on tracks hereby authorized, the percentages hereinabove specified for the same—the intent hereof being that as to the tracks authorized by this ordinance, compensation or the percentage basis above particularly set forth shall be chargeable from the beginning; and as to the tracks authorized by prior ordinances, compensation to the city shall be paid as at present until the total gross receipts of said company on all its tracks within the territory of said city and borough, including tracks authorized by this ordinance, shall equal or exceed Eighty Thousand Dollars, and after that percentages shall be chargeable on all gross receipts as hereinabove particularly specified.

Sec. 11. That the tracks and cars of said company shall be used for the carrying of passengers only; that no freight car or cars shall be run over any of its tracks, that no freight shall be carried by said company or over its tracks and that no luggage other than hand luggage actually carried by passengers shall be carried or allowed upon the cars of said company, or any other cars passing over said tracks. Nothing herein contained, however, shall prevent the

company from carrying the U. S. Mail. That cars shall not be run in trains of more than two cars over any of the tracks of said company, and that all cars shall stop upon being signalled by any foot passenger at any street corner past which said tracks are or shall be laid, and passengers shall be freely allowed to board said cars or alight therefrom at any street corner, and said company shall cause the cars to come to a full stop and sound the gong or bell immediately before turning any curve or crossing such street or streets as may be designated by the Common Council on road now constructed or to be constructed. Any violation of any of the provisions of this section by said company or any of its employees shall be subject to a penalty of Twenty Dollars fine for each and every offence.

Sec. 12. That all the duties or obligations imposed upon said Plainfield Street Railway Company by this ordinance or the contract hereinafter referred to shall be binding and obligatory upon said company, its successors and assigns, and in case the said company shall lease its tracks or any section of the same, or sell or assign its franchise, or attempt so to do, said company shall cause to be inserted in any such lease, deed, bill of sale, assignment or other transfer a stipulation and agreement and condition that the same is made subject to the provisions of this ordinance, and the contract herein referred to, and that the lessee, vendee, assignee or other person to whom such lease, conveyance, assignment or transfer may be made or attempted to be made in accepting the same agrees to be bound hereby and to conform thereto and will in turn insert a clause similar to that required by this section in case of any lease, conveyance, assignment or transfer thereof to be made, so that no person, or corporations, shall acquire any rights in the premises except subject to the same terms and conditions herein and in said contract provided.

Sec. 13. That the said company upon the final adoption of this ordinance and before exercising any of the rights and privileges granted hereby shall as a condition precedent execute on its part (after properly filling blanks for dates) and file with the City Clerk of the City of Plainfield a contract between said company and inhabitants of the City of Plainfield, in the words and figures contained in the draft of said contract filed with the City Clerk December 12, 1898, and endorsed "Contract between Plainfield Street Railway Company and Inhabitants of the City of Plainfield, referred to in Street Railway ordinance introduced December 12, 1898," and said contract shall thereupon be duly executed on behalf of the City by the Mayor and City Clerk and impressed with the corporate seal of said city.

Sec. 14. That said company shall also at the same time here-

inabove specified for filing said contract file a bond to the city in the sum of twenty thousand dollars to be approved as to form by the Common Council and Corporation Counsel of said city, conditioned for the full and faithful keeping, observance and performance of the terms and conditions in this ordinance contained, and also the terms and conditions contained in the contract referred to in the last preceding section on the part of this company to be kept, observed and performed. And in case the condition or terms upon which said company is granted permission to locate its tracks and maintain and operate its road or any of the terms or conditions of the said contract are violated, the city reserves the right to revoke the permission herein granted, to remove the tracks of the said company and all the constructions made in the streets of the city by said company, its successors or assigns.

Sec. 15. The said company shall within thirty days next after the passage of this ordinance, file with the City Clerk its acceptance of said ordinance and of the contract hereinabove referred to, including all the agreements, terms, provisions, restrictions and regulations, and every one thereof in said ordinance or contract contained, which said acceptance shall be under the corporate seal of said company and shall be signed by the president of said company; and in default of the filing of such acceptance within the time limited aforesaid, it shall be understood and held that said company declines to accept the same, and thereupon all rights, powers and privileges to them granted thereby shall forever cease and be at an end in the same manner and with the same effect as if this ordinance had never been passed.

Approved December 29th, 1898.

An Ordinance Locating the Tracks of the Southeasterly Extension of the Plainfield Street Railway Company, and Authorizing and Empowering the Construction and Operation and Maintenance of the Same, and Granting Permission for Said Company to Use Electricity as the Propelling Power of its Cars, and Prescribing the Terms and Conditions Upon Which the said Location of the Tracks and Permission are Granted.

Whereas, The Plainfield Street Railway Company, a street railway corporation organized under the provisions of the laws of the State of New Jersey, and operating a street railway in the City of Plainfield, did present their petition or application to the Mayor and Common Council of the City of Plainfield, New Jersey, praying the said Mayor and Common Council of the City of Plainfield for their consent to the construction, operation and maintenance of an ex-

tension of its street railway in the City of Plainfield, in Arlington avenue, from the present line of the Plainfield Street Railway Company in West Fourth street to Randolph road; in Randolph road from Arlington avenue to Park avenue; in Park avenue from Randolph road to a point 1,652.19 feet southerly from the center of Randolph road; thence through a private right-of-way to a point near Woodland avenue; thence parallel with Woodland avenue in a southerly direction to the city and county line; as particularly indicated on a map dated and filed October 2, 1899, in the City Clerk's office, entitled "Map showing Location of Tracks, Turnouts and Poles for Proposed Extension of Plainfield Street Railway, No. 4;" and,

Whereas, Public notice has been duly given of such application and of the intention of the Common Council of the City of Plainfield to consider the same, by publication, and also by posting a copy of the said notice in five or more of the most public places in the said City of Plainfield, at least fourteen days prior to the date fixed for the meeting of the said Common Council of the City of Plainfield to consider said application; and,

Whereas, Upon the date fixed by said notice for said hearing, and upon the days to which the said hearing was regularly adjourned, public hearing was given to all persons desiring to be heard, in favor of or opposed to or in anywise interested in the said application for the location of the said tracks of the said Street Railway Company, and the said matter having been duly considered by the Common Council of the City of Plainfield, and the said Common Council having determined to grant permission for the construction, maintenance and operation of such street railway upon the streets, highways or public places designated in such petition, and the said Company having filed with the Clerk of the City of Plainfield the consent in writing of the owners, or their duly authorized legal representatives, of at least one-half in amount of the lineal feet of property on said Arlington avenue from West Fourth street to Randolph road, on Randolph road from Arlington avenue to Park avenue, on Park avenue, from Randolph road to a point 1,652.19 feet southerly from the center of Randolph road, and on the private right-of-way hereinafter described.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the tracks of the southeasterly extension of the Plainfield Street Railway Company's railway be and are hereby located in the following streets, roads and alleys of the City of Plainfield:

Beginning at the intersection of the center lines of Arlington avenue and West Fourth street as the same are now laid out and

opened and running thence along said center line of Arlington avenue, as follows: South forty-three degrees and nine minutes east (S 43 deg. 9 min. E) a distance of three hundred and seventy and sixty-nine one-hundredths (370.69) feet to the center of West Fifth street; thence south forty-three degrees and three minutes east (S 43 deg. 3 min. E) a distance of three hundred and forty-eight and nine-tenths (348.9) feet to the center of West Sixth street; thence south forty-two degrees and twenty-one minutes east (S 42 deg. 21 min. E) a distance of one hundred and seventy-two and fifty-six one-hundredths (172.56) feet to a point; thence south forty degrees and twenty-one minutes east (S 40 deg. 21 min. E) a distance of two hundred and fifty-two and three-tenths (252.3) feet to the center of West Seventh street; thence south forty degrees and seventeen minutes east (S 40 deg. 17 min. E) a distance of thirteen hundred and seventy-nine and twenty-one one hundredths (1379.21) feet to a point of curve; thence curving to the left with a radius of one hundred and thirty-two and five-tenths (132.5) feet a distance of ninety-eight and ninety-seven one hundredths (98.97) feet to a tangent point; thence south eighty-three degrees and five minutes east (S 83 deg, 5 min E) a distance of fifty and three-tenths (50.3) feet to a point of curve; thence curving to the right with a radius of two hundred and seven and thirty-three one-hundredths (207.33) feet a distance of one hundred and forty-one and twelve one-hundredths (141.12) feet to a tangent point; thence south forty-four degrees and five minutes east (S 44 deg. 5 min. E) a distance of twelve hundred and fifty-two and twenty-one one-hundredths (1252.21) feet to a point of curve; thence curving to the right with a radius of three hundred and twenty-five and fifty-one one-hundredths (325.51) feet to a distance of two hundred and thirty-eight and seven-tenths (238.7) feet to a tangent point; thence south two degrees and four minutes east (S 2 deg. 4 min. E) a distance of five hundred and eighty-one and ninety-eight one-hundredths (581.98) feet to the centre of Randolph road; thence along said center of Randolph road south eighty-eight degrees and thirteen minutes east (S 88 deg. 13 min. E) a distance of ten hundred and sixty-four and two-tenths (1064.2) feet to a point distant eleven and five-tenths (11.5) feet easterly at right angles from the center of Park avenue; thence along Park avenue and eleven and five-tenths (11.5) feet east of the center line of the same south eleven degrees and seventeen minutes east (S 11 deg. 17 min. E) a distance of sixteen hundred and fifty-two and nineteen one-hundredths (1652.19) feet to a point distant forty-one (41) feet south of the division line between properties of J. L. Brewster and Nathan H. Randolph; thence through a private right-of-way parallel with said division line and distant forty-one (41) feet at right angles there-

from, north eighty degrees and seven minutes east (N 80 deg. 7 min. E) a distance of two hundred and fifty-four (254) feet to a point of curve; thence curving to the left with a radius of five hundred (500) feet a distance of one hundred and forty-three and seven-tenths (143.7) feet to a point of reverse curve; thence curving to the right with a radius of five hundred (500) feet a distance of one hundred and forty-three and seven-tenths (143.7) feet to a tangent point in division line between properties of Nathan H. Randolph aforesaid and the heirs of Elkanah Randolph; thence along said division line north eighty degrees and seven minutes east (N 80 deg. 7 min. E) a distance of nine hundred and nineteen and ninety-four one-hundredths (919.94) feet to a stone and northwesterly corner of property of the Hillside Cemetery Association; thence curving to the right with a radius of five hundred (500) feet a distance of one hundred and forty-one and ninety-five one-hundredths (141.95) feet to a point of reverse curve; thence curving to the left with a radius of five hundred (500) feet a distance of one hundred and forty-one and ninety-five one-hundredths (141.95) feet to a tangent point distant forty (40) feet in a southerly direction at right angles from the northerly line of property of the Hillside Cemetery Association aforesaid; thence parallel with said line north seventy-nine degrees and fifty-eight minutes east (N 79 deg. 58 min. E) a distance of five hundred and thirty (530) feet, more or less, to a point of curve; thence curving to the right with a radius of one hundred (100) feet, a distance of two hundred and forty (240) feet; more or less, to a tangent point distant forty (40) feet west at right angles from the easterly side of Woodland avenue; thence parallel with the easterly side of Woodland avenue and distant forty (40) feet westerly at right angles therefrom as follows: South four degrees and twenty-eight minutes west (S 40 deg. 28 min. W) a distance of thirty (30) feet, more or less; south nine degrees and thirty minutes west (S 9 deg. 30 min. W) five hundred and thirty-seven and five-tenths (537.5) feet, more or less; south eight degrees and nineteen minutes west (S 8 deg. 19 min. W) a distance of one hundred and forty-nine and five-tenths (149.5) feet, more or less; south one degree and fifty-eight minutes east (S 1 deg. 58 min. E) a distance of three hundred and twenty-two (322) feet, more or less; south ten degrees and twenty-one minutes east (S 10 deg. 21 min. E) three hundred and fifty-five and five-tenths (355.5) feet, more or less, to the city line, and in those portions of said streets, roads and alleys, marked out and shown on map filed in the office of the City Clerk of said city, entitled "Map Showing Location of Tracks, Turnouts and Poles for Proposed Extension of the Plainfield Street Railway, No. 4," and dated October 2, 1899, to which reference is made and the same is

hereby made a part of this ordinance, and the said company is hereby given the right to construct, maintain and operate its extension to its street railway in said portions of said streets, roads and alleys, under and subject to certain restrictions and regulations hereinafter specified or referred to, and the same being such restrictions and regulations as the Common Council hereby deem requisite for the public interests, as well as subject to such further reasonable regulations as may be hereinafter enacted by said Council. All rights and privileges under this ordinance conferred upon said company shall cease and expire on the first day of January, A. D., 1999, and thereupon, on demand, said company will forthwith remove all of its tracks from the streets, lanes and alleys of said city. A detailed plan of construction shall be filed with the City Clerk by said company and be approved by said Common Council before any work is done under the permission herein granted.

Sec. 2. That said company shall construct, maintain and operate a single track railway for said extension, to be laid in the center of said streets or highways, except in Park avenue, where the center line of the track shall be eleven and one-half feet east of the center line of Park avenue, and in Arlington avenue, from a point one hundred and twenty-five feet southeast of the center of West Fourth street to a point fifty feet northwest of the center of West Fifth street, where the center line of the track shall be two and one-half feet northeast of the center line of Arlington avenue, said portion of the track to be connected with the present track in West Fourth street, and with the proposed track in Arlington avenue by reverse curves, and as shown on map, and shall construct the track, switches, turnouts and poles in the manner and at the points and places indicated for the same on said map; the poles shall be constructed and set and the wires strung thereon in the same manner as the poles are constructed and set in the ground and wires strung on poles on the line of street railway now operated in the City of Plainfield by the said Plainfield Street Railway Company.

Sec. 3. That the rights and privileges intended to be given by this ordinance to said company are subject to all limitations, provisions, terms and conditions set forth and contained in sections 5, 6, 7, 8, 9, 10, 13, 14, 17 and 18 of the ordinance of the city entitled, "An Ordinance locating the tracks of the Plainfield Street Railway Company and regulating the construction and operation of the same and granting permission to said company to use electric motors as the propelling power of its Cars," approved April 27, 1891; also in sections 3, 4, 6, 7, 9, 10, 11 and 12 of the ordinance of the city entitled, "An ordinance locating the tracks of the extension of the Plainfield Street Railway Company in Richmond

street and East Second street and over a private right-of-way to the line of the City of Plainfield in Terrill road, and authorizing and empowering the construction and operation and maintenance of the same, and granting permission for said company to use electricity as the propelling power of its cars, and prescribing the terms and conditions upon which the said location of the tracks and permission are granted," approved December 29, 1898, to the same extent and with the same effect as if said sections were re-enacted in full as part of this ordinance, excepting that in section 10 of the latter ordinance the period of fifty years referred to, shall as to the present ordinance begin on January 1, 1900, instead of on January 1, 1899.

Sec. 4. The said company shall build or construct the extension hereby authorized, with turnouts and switches, in the manner aforesaid, and put the same into complete operation for the transportation of passengers on or before July 1, 1900, and upon failure so to do or upon failure or neglect to operate the same as aforesaid, all the rights, powers and privileges, and every one of them of the said company, their successors and assigns, under and by virtue of this supplemental ordinance, shall thereupon cease and determine, and this ordinance shall be null and void so far as the grant of any such rights, power and privilege to said company is concerned, and in either of such cases the Common Council expressly reserve the right to cause the said railroad, or any part or parts thereof, so constructed, to be removed from said street or streets or any of them, and to sell and dispose of the material thereof by public auction, and, after paying all the expenses of such removal sale, and of repairing the said street or streets, and of restoring the same, as nearly as possible, to its or their original condition, to pay the balance of the proceeds of such sale to the said company, or its successors or assigns, **provided,** that no notice of such sale shall be required to be given, other than an advertisement, signed by the City Clerk, and published in any one or more newspapers printed and published in said city. The time during which the said company shall be delayed in the presecution of its work, or in the operation of its road, or in any section thereof, by injunction or other legal proceedings in the courts of New Jersey, or the Federal courts, shall not be included within the period within which the said extension is to be constructed and put into complete operation.

Sec. 5. That the said company upon the final adoption of this ordinance, and before exercising any of the rights and privileges granted hereby, shall, as a condition precedent, execute on its part, and file with the City Clerk of the City of Plainfield, a bond to the city in the sum of twenty thousand dollars, to be approved as to

form by the Common Council and Corporation Counsel of said city, conditioned for the full and faithful keeping, observance and performance of the terms and conditions of this ordinance contained. And in case the condition or terms upon which said company is granted permission to locate its tracks and maintain and operate its road are violated the city reserves the right to revoke the permission herein granted, to remove the tracks of the said company and all the constructions made in the streets of the city by said company, its successors or assigns.

Sec. 6. That the cars of said company shall be run on a headway of not more than thirty minutes in each direction over the extension herein authorized, from the time in the morning when the cars begin running on the other lines of said company in the City of Plainfield until eleven o'clock P. M. When the gross earnings upon the extension herein authorized shall amount to fifteen dollars per car per day, the cars shall be run upon the same schedule as that in operation upon the other lines in this city.

Sec. 7. The said company shall within thirty days next after the passage of this ordinance, file with the City Clerk its acceptance of said ordinance, including all the agreements, terms, provisions, restrictions and regulations and every one thereof in said ordinance contained, which said acceptance shall be under the corporate seal of said company, and shall be signed by the president of said company; and in default of filing of such acceptance within the time limited aforesaid it shall be understood and held that said company declines to accept the same, and thereupon all rights, powers and privileges to them granted thereby shall forever cease and be at an end in the same manner and with the same effect as if this ordinance had never been passed.

Sec. 8. That the said company shall not run its cars at a greater speed than four miles per hour during the hours between 8 o'clock A. M. and 5 o'clock P. M. on days in which school is in session on Arlington avenue between West Fourth and West Fifth streets.

Approved November 4, 1899.

An Ordinance Concerning Firearms and Other Deadly Weapons.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

(Section 1 repealed by ordinance approved June 20, 1910).

Sec. 2. That no person shall carry within the limits of the City of Plainfield concealed upon or about his person, any pistol, dirk, butcher or bowie knife, stiletto, dagger, sword, or spear

in a cane, brass or metal knuckles, razor, slug shot or other deadly weapon, under a penalty of a fine not exceeding twenty dollars for each and every offence; **provided**, that this section shall not apply to officers of the law or persons who are threatened with bodily harm.

Approved April 9th, 1895. Amended by ordinance approved June 23, 1909.

An Ordinance Regulating and Prohibiting the Discharge of Fire-Arms and Fireworks.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. No person or corporation shall within the limits of the City of Plainfield fire or discharge any cannon, toy cannon, gun, revolver, or toy pistol, or other appliance for discharging metal or paper caps, such as are used in toy pistols, or fire-arms of any description whether the same be loaded with blank or full charge; **provided**, that this section shall not apply to persons engaged in military exercises or to members of the Police Department while on duty, or to the use of a revolver, pistol or other fire-arm in defense of life or property.

Sec. 2. No person or corporation shall fire or discharge any firecracker, torpedo, or fireworks of any character, or any other thing containing or composed of powder or other explosive or combustible material, or set in motion any balloon containing a lighted torch or burning material of any kind, upon any street, lane, highway or public place of the City of Plainfield.

Sec. 3. No person or corporation shall within the limits of the City of Plainfield fire or discharge any firecracker, torpedo or firework, or set in motion any balloon containing a lighted torch or burning material of any kind, except that firecrackers made of soft paper loosely wrapped containing no other explosive but black powder and not over five inches in length and torpedoes not over three-quarters of an inch in diameter and fireworks other than sky-rockets having sticks attached, or any balloon containing a lighted torch or burning material of any kind, may be set off and discharged upon private property on the Fourth day of July of any year, unless the Fourth day of July falls on Sunday, and in such event then on the Fifth day of July, between the hours of six o'clock in the morning and twelve o'clock midnight, but at no other time, **provided**, however, that at any time the Mayor may upon written application made at least twenty-four hours before the time when said event is to occur, give permission for the display and discharge

of fireworks except sky-rockets having sticks attached or any balloon containing a lighted torch or burning material of any kind, at a time and place to be specified and under the direction of a person or persons to be named in the written permit issued by the Mayor.

Sec. 4. Any person or corporation violating any of the provisions of sections one, two and three of this ordinance shall on conviction be punished by a fine not exceeding Twenty Dollars for each offence.

Sec. 5. That section one of an ordinance entitled "An ordinance concerning fire-arms and other deadly weapons," approved April 9, 1895, as amended, and all other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Approved June 20, 1910.

An Ordinance to Provide for the Licensing of Auctioneers.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That licenses may be granted by the Common Council to such and so many persons of good moral character as the Common Council shall from time to time think proper, to carry on the trade or business or to act in the capacity of auctioneers.

Sec. 2. That every application for any such license shall be in writing signed by the applicant stating his place of residence and that he applies for license under the provisions of this ordinance.

Sec. 3. That no person shall carry on the trade or business of auctioneer in said city or sell or attempt to sell at public auction in said city any merchandise, goods, chattels or personal property whatsoever without being first licensed under the provisions of this ordinance under penalty of a fine not exceeding fifty dollars for each and every offence, but nothing in this ordinance contained shall be construed to apply to sales made at public auction under and by virtue of legal process.

Sec. 4. That every person licensed under this ordinance shall at the time of receiving such license pay therefor to the City Clerk to be by him paid to the City Treasurer for the use of the city the sum of twenty-five dollars, and in addition thereto the Clerk's fee of fifty cents for issuing said license.

Sec. 5. That every license granted under the provisions of this ordinance shall expire on the first day of March next following the date of such license.

Approved March 21, 1892.

An Ordinance Relating to the City Treasurer and Regulating the Receipt and Disbursement of City Moneys.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. The City Treasurer shall, before entering upon the duties of his office, execute a bond in the sum of Twenty-five Thousand Dollars to the Inhabitants of the City of Plainfield, conditioned for the true and faithful performance of all the duties of his office, with such freehold security as the Common Council shall approve and direct, which bonds shall be submitted to the Common Council for its approval, and, when so approved, shall be deposited with the City Clerk for safe keeping.

Sec. 2. The City Treasurer shall receive all moneys belonging to or in any way appertaining to the City, unless otherwise provided by law, and shall forthwith deposit the same in such bank or banks as the Common Council shall from time to time designate as the depositories of city moneys, in the name of "The Treasurer of the City of Plainfield."

Sec. 3. City moneys, except where otherwise provided by law, shall be disbursed only upon warrants drawn on the City Treasurer as follows:

(1) Upon the "Library Fund" such warrants shall be signed by the President and countersigned by the Treasurer of the Board of Directors of the Public Library and Reading Room.

(2) Upon the appropriation for the Board of Health, such warrants shall be signed by the President and countersigned by the Secretary of said Board.

(3) In all other cases, such warrants shall be signed by the President of the Common Council and countersigned by the City Clerk, as Auditor.

Provision may be made by resolution for substitutionary signature and counter signature in case of absence of any or either of the officers named.

In all cases where claims must be submitted to the Mayor for approval or disapproval, the signatures and counter-signatures, original or substitutionary, herein provided for, shall afford plenary evidence that the claim embraced in the warrant has either been approved by the Mayor, or, if disapproved by him, has been ordered to be nevertheless paid. If a claim has been marked "disapproved" by the Mayor and the claim has been ordered to be nevertheless paid, pursuant to the statute in such case made and provided, that fact, and the date of such action, shall be noted on the claim.

Every warrant drawn on the "Library Fund" shall be accepted in writing by the City Treasurer, if there be sufficient to the credit

of that fund in the designated depository in which by law it must be separately kept, and such warrant shall thereupon be honored as a draft or check on that fund.

Every warrant drawn on the appropriation for the Board of Health shall be accepted in writing by the City Treasurer, if there be sufficient funds to the credit of that appropriation, and the City Treasurer shall, in writing, on said warrant, direct payment thereof by a bank, being one of the designated depositories of city moneys; and such warrant shall thereupon be honored as a draft or check on that bank.

Upon every other warrant, if for a claim properly audited, the City Treasurer, if there be sufficient funds wherewith to pay the same, shall, in writing, on said warrant, direct payment thereof by a bank, being one of the designated depositories of city moneys; and such warrant shall thereupon be honored as a draft or check on that bank.

In each case, such direction of payment shall be considered an acceptance of such warrant as a draft on the City Treasurer.

Sec. 4. The City Treasurer shall keep in a suitable book or books in such manner as directed by the Common Council, or its appropriate committee, the separate accounts of the several funds for which moneys shall be received or paid out by him, each under its proper head and title, so that the account of each of these funds shall show at all times the exact amount to the credit or debit of such fund. The Treasurer shall also keep a detailed record of all assessments made or authorized to be made by the Common Council, setting forth the date and purpose of each assessment, the name of persons assessed, the amount assessed against each, and the date of the payment of the same.

Sec. 5. Whenever the Common Council shall authorize money to be borrowed on the credit and in the name of the City in anticipation of the collection of taxes, the City Treasurer shall prepare and sign a note for the amount so authorized to be borrowed, payable at such time as shall be fixed by the Common Council, which note shall likewise be signed by the Mayor, and unless otherwise directed by the Common Council the City Treasurer shall cause such note to be discounted at one of the designated depositories of city moneys; the net proceeds thereof shall be credited to the account of the Treasurer of the City of Plainfield in such bank, and credited by the City Treasurer to the fund for which the money was borrowed. At the maturity of the note so discounted, the amount thereof shall be chargeable against said account.

Sec. 6. The City Treasurer shall render to the Common Council at each of its regular meetings a statement of all moneys received and disbursed by him from the date of his last preceding statement;

and at the last meeting in each year he shall render a statement of all moneys received and disbursed by him during the current year, and he shall submit for inspection his books to the Mayor or Common Council or its appropriate committee, or any city officer the Common Council shall designate, whenever requested to do so.

Sec. 7. No claim or demand of any kind against the City, except as by law or this ordinance otherwise provided, shall be paid or directed to be paid by the City Treasurer, unless first regularly allowed and ordered paid by the Common Council, and a statement in writing to that effect duly signed by the City Clerk be filed with the City Treasurer. Upon receiving from the City Clerk said written statements of claims or demands allowed and ordered paid by the Common Council, the City Treasurer shall forthwith prepare warrants for the payment thereof, and have them properly signed as herein provided, and direct payment thereof by a designated depository of city moneys, as herein provided.

Sec. 8. Upon the warrants provided for in the last section being returned to City Treasurer after payment, the same shall be attached to the original claim. All paid warrants shall be filed by the City Treasurer, regularly numbered, and a detailed record of each shall be kept by him. The City Treasurer shall also require proper receipts for all checks or drafts issued by him, and shall file the same in regular order, and safely preserve as vouchers all such receipts as well as the claims and paid warrants hereinbefore first referred to, subject to the orders of the Common Council.

Sec. 9. All ordinances and parts of ordinances inconsistent herewith, and particularly the ordinance entitled "An Ordinance Relating to the City Treasurer and the Payment of City Moneys," approved February 8, 1893, and amended by ordinance approved July 12, 1897, are hereby repealed; but no ordinance or part of ordinance heretofore existing shall be revived by such repeal.

Approved July 6, 1911.

An Ordinance to Regulate the Use of Bicycles, Tricycles and Similar Vehicles, and Other Road Vehicles in the Public Streets.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That all bicycles, tricycles and similar vehicles when in use on the public highways, streets, or places of the city are hereby required to have a lamp of such illuminating power as to be plainly seen one hundred yards ahead, attached thereto and kept lighted between one hour after sunset and sunrise.

Sec. 2. That all bicycles, tricycles and similar vehicles shall carry a suitable alarm bell attached to the handle bar of such ma-

chine, which, when rung, may be heard one hundred feet distant. That such bell shall be sounded as an alarm by the rider of such vehicle upon approaching another vehicle from the rear, or upon approaching pedestrians crossing the street or upon the approach of another vehicle on the same street or on a street intersecting the street ridden upon.

Sec. 3. That no person shall ride upon any bicycle, tricycle, or similar machine upon any sidewalk within the limits of the City of Plainfield; **provided**, that the term sidewalk as used in this ordinance shall be construed to mean such sidewalks only, concerning which the city has power to pass ordinances under and by virtue of paragraph V, Section 1 of Chapter 8 of the Public Laws of 1896; and provided further that this section shall not apply to the riding of any bicycle, tricycle or similar machine upon any sidewalk when necessary to ride upon such sidewalk in passing from private premises to the roadbed of any street, or vice versa.

Sec. 4. That every violation of any of the provisions of this ordinance shall render the offender subject to a fine not exceeding the sum of five dollars ($5) for each offence, and that the Justice, Police Judge, Recorder or other Magistrate who may have jurisdiction over such offences in violation of this ordinance, may impose such fine in his discretion, as he may think proper, not exceeding the sum of five dollars ($5), for each offence.

Approved May 12th, 1896.

An Ordinance to Regulate the Rate of Speed of Vehicles in Public Streets.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person or persons shall ride any bicycle, tricycle or similar vehicle, or drive any horse or other beast of burden attached to any carriage or other vehicle on any of the public roads or streets of the City of Plainfield at a greater rate of speed than the rate of ten miles per hour, and any person or persons violating this ordinance shall, on conviction thereof, be subject to a fine not exceeding five dollars for each offence.

Approved Feb. 20, 1897.

An Ordinance Authorizing the Central Railroad Company of New Jersey to Lay Down and Maintain a Siding or Turnouts Across North Avenue and to Run and Operate Engines and Cars Thereon.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the Central Railroad Company of New Jersey be, and they are hereby authorized and empowered to lay down, construct and maintain, one railroad track across North avenue in the City of Plainfield, and to run and operate railroad engines and cars on and over said railroad track across said North avenue, and that such authorization is granted upon the following terms and condition:

A. That the point where such single railroad track shall cross said North avenue shall be between lands of said Railroad Company on the south side and lands of Charles H. Leonard on the north side of said North avenue, and not nearer than fifty (50) feet on Berckman street and not farther from said Berckman street than two hundred and fifty (250) feet.

B. That said single railroad track shall be laid and maintained, as nearly as possible, at right angles to said North avenue.

C. That said single railroad track shall be so laid and maintained that the top of the rails shall be on a level with said avenue.

D. That for one foot on the outside of the rails, and between the rails, the said Company shall lay and maintain in good order on a level with the rails, planking, so that the crossing of said railroad track by vehicles shall be easy and convenient, such planking to extend a width equal to three-fifths of the carriage or driveway of said avenue. That the roadway of said North avenue, adjacent to said crossing, be continually maintained on a level with said planks, and that the planks shall be renewed when, in the opinion of the Street Commissioner, it is necessary.

E. That said Railroad Company in the laying down and maintenance of said single railroad track shall make such culverts or drain, or both, on the gutter lines of the avenue to pass the surface water flowing in said gutters as shall be required by the Street Commissioner of said city.

F. That said Railroad Company shall erect a sign or signal post on one side of said railroad track on the curb line, to be lettered "Railroad Crossing; Look out for the Locomotive."

G. That said Railroad Company shall cause every engine, car, cars, engine and car or car or cars, which shall be moved across said avenue to be preceded in the going direction of said cars or engines by a flagman to warn person traveling upon said avenue of the

approach of said cars or engines, and no cars or engines shall be moved at a greater speed than such person can walk.

H. That the authorization above granted shall be terminable on thirty days' notice by a resolution of the Common Council to that effect, served on said Railroad Company, and in such case said Railroad Company shall forthwith remove all tracks and rails from said avenue and restore the said avenue to the condition in which it now is.

Approved Nov. 6th, 1897.

An Ordinance to License and Regulate Junk Shop Keepers.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That licenses may be granted by the Common Council to such and so many persons of good moral character, and otherwise qualified according to the provisions of this ordinance, as the Common Council shall from time to time think proper, as keepers of junk shops.

Sec. 2. That every application for such license shall be in writing, signed by the applicant, and shall state his place of residence.

Sec. 3. Every person to whom a license shall be granted as the keeper of a junk shop shall enter into bond to the Mayor and Common Council of the City of Plainfield, with good and sufficient surety to be approved by the Mayor, in the penal sum of two hundred dollars, conditioned for the due observance of all such ordinances of the City of Plainfield as may be passed or in force, respecting junk shops and the keepers of junk shops, at any time during the continuance of such license. Every license which shall be granted any keeper of any junk shop shall designate the house and place in which the person receiving such license shall be authorized to carry on said business.

Sec. 4. Every keeper of a junk shop so licensed as aforesaid shall be authorized to keep at such house or place, what is commonly called a junk shop, for the purchase and sale of junk, rags, old ropes, old iron, brass, copper, tin, lead and other old materials, old bottles, old glass, old tinware, or other second-hand articles, and it shall be lawful for any keeper of a junk shop so licensed as aforesaid, to keep, use and drive a cart or carts, wagon or wagons in the City of Plainfield for the purchase and sale of junk, rags, rope, old iron, brass, copper, tin, lead and other old metals, old bottles, old glass or old tin ware; **provided**, that such cart or wagon so kept, used and driven by or for him shall be duly and separately licensed

and that every such cart or wagon shall be marked with the name at length, the street and number of his place of business and the number of his license in plain letters and figures.

Sec. 5. No person shall keep what is commonly called a junk shop for the purchase and sale of the articles enumerated in the preceding section of this ordinance, and no person shall drive or draw or cause or procure to be used, or driven or drawn, any cart, wagon or other vehicle for the purchase or sale of either of such articles without first being licensed by the Common Council as hereinbefore provided under the penalty of not less than ten nor more than twenty dollars for each and every offense, but the full penalty of twenty dollars to be imposed upon conviction for a second offence.

Sec. 6. No keeper of a junk shop shall receive in the line of his business any article or thing by way of pledge or pawn, nor shall he loan or advance any sum of money on the security of any such article or thing under the penalty of twenty dollars for each and every offence.

Sec. 7. No keeper of a junk shop shall receive or purchase any goods, articles or thing whatsoever from any minor, apprentice or servant, knowing or having reason to believe him or her to be such, under penalty of twenty dollars for each and every offence.

Sec. 8. No keeper of a junk shop shall receive or purchase in the way of his business any goods, articles or thing whatsoever from any person or persons whatsoever between the setting of the sun and the hour of seven o'clock of the following morning, under the penalty of twenty dollars for each and every offence.

Sec. 9. Every keeper of a junk shop shall provide and keep a book in which shall be fairly written at the time of each purchase a description of the article so purchased, the name and residence of the person or persons from whom such purchase was made and the day and hour of such purchase.

Sec. 10. The said book shall be at all reasonable times open to the inspection of the Mayor, Chief of Police, and City Judge, or any of them, or of any person who shall be duly authorized in writing for that purpose by any one of them who shall exhibit such written authority to such keeper of a junk shop.

Sec. 11. Every keeper of a junk shop who shall violate or neglect or refuse to comply with any of the provisions of the last two preceding sections of this ordinance shall for every offence forfeit and pay the sum of twenty dollars.

Sec. 12. No person shall keep a junk shop without being licensed for that purpose as aforesaid, or shall carry on such business or keep such junk shop at any other house or place than the one designated in such license, or shall continue to carry on such

business after such license may have expired or been revoked under the penalty of twenty dollars for each and every offence.

Sec. 13. Every keeper of a junk shop shall have and keep a sign on the outside and in front of his shop or other place used by him for carrying on such business on which shall be plainly set forth in conspicuous letters his name and his licensed business under the penalty of twenty dollars for each and every week he shall make use of such shop or other place as aforesaid without having such sign so put up and maintained.

Sec. 14. If any goods, articles or things shall be advertised in any newspaper published in the City of Plainfield as having been lost or stolen, and if such goods, articles or things, or any such, answering to the description of the goods, articles or things so advertised, or any part or portion thereof, shall then be in, or thereafter come into, the possession of any keeper of a junk shop, he or she shall forthwith give information thereof in writing to the Chief of Police, and shall also state from whom the same were received, under the penalty of twenty dollars for each neglect or offence.

Sec. 15. Every keeper of a junk shop who shall receive or be in possession of any goods, articles or things which may have been stolen or lost, or alleged or supposed to have been lost or stolen, shall forthwith, on a demand to view the same, present the same to the Mayor, Chief of Police, City Judge, or to any policeman or other person who may be authorized by any of the above named officers or magistrates to make such demand upon a penalty of twenty dollars for every neglect or refusal so to do.

Sec. 16. That there shall be charged to each person or persons licensed as aforesaid and paid to the City Clerk for the use of the city on the issuing of such license with the privilege of using one junk wagon or cart the sum of twenty-five dollars, and for each additional junk wagon or cart the sum of ten dollars.

Sec. 17. All licenses granted for the purpose aforesaid shall expire on the first day of March next after the same shall have been granted and shall state the number of such license and the location thereof, and the name of the person licensed. All such licenses may be renewed, annually, subject in all things to the same conditions, provisions and changes as in and for the original license.

Sec. 18. It shall be the duty of the City Clerk to notify the Chief of Police of and every license issued by him, to whom and for what time and purpose, and to furnish the Treasurer at least once in each and every month with a report of the number of licenses issued, together with the moneys due the City Treasurer for the same.

Sec. 19. It shall be the duty of the Chief of Police to cause the provisions of this ordinance relating to fines and for failure to

comply with the provisions therof, to be carried strictly into effect.

Sec. 20. It shall also be the duty of the City Clerk to keep a register of all licenses granted under the provisions of this ordinance, wherein shall be stated the number of the license, the locality and such other data as may be necessary.

Sec. 21. Any person or persons who shall purchase or sell any of the goods, wares or merchandise mentioned in this ordinance without first taking out a license therefor, or after their license has expired, or when revoked, shall for each such offence be subject to the penalty mentioned above in section five.

Sec. 22. Any person or persons violating any of the provisions of this ordinance to which no penalty is attached in any preceding section, shall forfeit and pay a fine not exceeding the sum of twenty dollars.

Approved July 14th, 1900.

An Ordinance Concerning the Sending of Indigent Patients to Muhlenberg Hospital, and Their Care and Maintenance Therein.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That the mode of sending indigent patients to Muhlenberg Hospital for support and maintenance pursuant to any contract, or under any law of this State or ordinance of the City, shall be by written order signed by the City Physician, Overseer of the Poor, Mayor or City Judge, and the mode and terms of paying for the care and maintenance of such patients so sent to such Hospital shall be by warrant for such amount as may have been or shall be agreed upon by contract between said Hospital and the City, and payable after substantial performance of such contract by Muhlenberg Hospital.

Approved March 7, 1905.

An Ordinance Concerning Dogs.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That hereafter no person shall keep, harbor or maintain any dog, or suffer one to be kept, harbored or maintained within the City of Plainfield, unless a license to keep such dog has first been obtained from the City of Plainfield in the manner hereinafter provided, and any person keeping, harboring or maintaining, or suffering to be kept, harbored or maintained any dog within

the City of Plainfield without having obtained such license shall be guilty of a violation of this ordinance.

Sec. 2. The City Clerk of the City of Plainfield is hereby authorized to issue such license in the name of the inhabitants of the City of Plainfield to any person applying therefor in writing and paying a license fee of two dollars and fifty cents, which license when so issued shall be valid and remain in force only until the 20th day of May next following the issuing thereof.

Sec. 3. The written application for a license as hereinbefore provided, shall be signed by the owner or person having the custody of such dog, and shall set forth the place of residence of the applicant and the owner shall state the place where such dog is to be kept, and shall contain a description of such dog, including its name, color, breed and sex. All licenses issued pursuant to such application shall be consecutively numbered, and shall among other things contain a brief description of the dog to keep which such license is issued, including its name, color, breed and sex, the name of the owner, and shall state the place at which such dog is to be kept.

Sec. 4. Any person or association in the City of Plainfield owning five or more dogs which are kept for breeding, show or sporting purposes may obtain a kennel license, which shall entitle the holder thereof to establish and maintain within said City a kennel for the purpose of keeping dogs for breeding, show and sporting purposes. Such license shall be issued by the City Clerk upon a written application signed by such person or association which which shall set forth the place of residence of the applicant, the place where such dogs are to be kept and the breed of such dogs. All licenses issued pursuant to such applications shall have plainly written or printed upon them the words "Kennel License," and shall set forth the facts stated in the application. Kennel licenses shall be valid and remain in force only until the 20th day of May next following the issuing thereof. There shall be attached to the collar of each dog kept pursuant to a kennel license, the tag required by this ordinance, each of which tags shall bear the number of such license. Such license shall be issued upon the payment of a license fee of ten dollars and in addition thereto there shall be paid to the City Clerk for each tag provided by him the sum of twenty-five cents. All provisions of other sections of this ordinance not in conflict with the provisions of this section shall apply to any and all dogs kept pursuant to a kennel license. The license fee of ten dollars required by this section shall be in lieu of any license fee otherwise provided for by this ordinance.

Sec. 5. Every dog to keep which a license is issued shall wear a collar to which shall be attached a metal tag bearing the number

of such license; such tag to be furnished by the City Clerk at the expense of the City. The tags used for each year shall be different in size, shape or color from the tags used the preceding year that the appearance of the tag will differentiate with sufficient certainty the year for which the tag is issued, and three full years shall elapse before a tag of the same size, shape or color is again provided. If a tag is lost a new one may be obtained from the City Clerk upon satisfactory proof being furnished that a license to keep the dog for which tag is desired had been previously issued for the then current year and upon payment therefor of the sum of fifty cents.

Sec. 6. Any person who shall substitute or use any tag in place of the one furnished by the City, or shall allow any dog owned, kept, harbored or maintained by him to leave premises occupied by such person without having a proper tag attached to the collar of such dog shall be deemed guilty of a violation of this ordinance.

Sec. 7. The City Clerk shall on or before the 1st day of June in each year transmit to the chief of police a statement showing all licenses to keep dogs issued as aforesaid. The chief of police upon receipt of such statement shall ascertain by the officers upon their respective beats, what persons have failed to comply with this ordinance, and all such persons shall thereupon be proceeded against before the City Judge of the City of Plainfield.

Sec. 8. The Mayor of the City of Plainfield may at any time when in his judgment the public safety demands it, order and direct by public notice that no dog shall be allowed to leave the premises of the person owning or entitled to the custody of such dog unless securely confined upon a leash and accompanied by a person over the age of twelve years. Such notice shall be published at least three consecutive times in the official newspapers of the City, and shall state how long the said order is to remain in force. Any person who shall, after the issuing of such order, and during the time same shall remain in force, suffer, allow or permit any dog owned, kept or harbored by him to go upon any of the streets or public places of the City of Plainfield, or upon any premises other than those owned or occupied by him unless securely confined upon a leash and accompanied by a person over the age of twelve years, shall be deemed guilty of a violation of this ordinance.

Sec. 9. The Common Council at its first regular meeting in May of each year, shall establish a pound and the Mayor shall prior to such meeting appoint a pound-keeper, subject to confirmation of the Common Council, who shall hold office at the pleasure of the Common Council. The said pound-keeper, any police officer, or any person specially appointed by the Mayor for that purpose, may seize

and convey to the pound any dog found upon any of the streets or public places of the City of Plainfield without the tag provided for by this ordinance, as well as any dog found upon any of the streets or public places of said city not confined upon a leash as provided for by this ordinance, during the time that any order issued by the Mayor, as hereinbefore provided, shall remain in force. The owner, if known, of any dog so seized and impounded shall be notified thereof by the City Clerk as soon as possible thereafter. The said pound-keeper and any person specially appointed by the Mayor as aforesaid, shall wear a suitable badge to be provided by the City Clerk indicating his authority. Any person authorized to seize any such dog shall be entitled to receive as compensation for his services the sum of fifty cents for each dog delivered by him at the pound, to be paid to him by the pound-keeper who shall be re-imbursed by the City. Should any person appointed as aforesaid seize any dog other than such as is without a tag, or during the period within which dogs are required to be confined upon a leash, any dog other than such as is not so confined he shall be deemed guilty of a violation of this ordinance.

Sec. 10. Every dog so seized and impounded, shall be kept, fed and kindly treated by the said pound-keeper for a period of not less than seventy-two hours from the time of impounding, and the owner or person entitled to the custody of any dog so seized and impounded may within said period redeem said dog upon paying to the said pound-keeper the sum of one dollar for each twenty-four (24) hours or part thereof that the said dog is so impounded, one-half of which shall be for the use of the said pound-keeper, and the other half for the use of the city. No dog so seized and impounded shall be redeemed by the owner thereof or released by the poundkeeper unless a proper license and a tag are procured for said dog previous to such release.

Sec. 11. After the expiration of such period of seventy-two hours any dog remaining in the pound and not redeemed shall be killed in a humane manner by the said pound-keeper. For every dog received by the pound-keeper at the pound and subsequently killed, the pound-keeper shall receive the sum of fifty cents to be paid by the city. The pound-keeper shall also receive the sum of twenty-five cents per day for each unredeemed dog during the said period of seventy-two hours.

Sec. 12. The expense of furnishing the licenses and tags herein provided for, the fees paid for seizing and impounding any dog, the expense of keeping all dogs while in the pound and the fee paid to the pound-keeper for each dog killed shall be borne and paid by the City and shall be paid out of its general fund. All sums received for licenses and tags, and one-half of the amount re-

ceived for the redemption of any dog, shall belong to the City and shall be paid into its general fund. Out of the license fees received as aforesaid the City Clerk shall be paid the sum of twenty-five cents for each license issued by him. The amounts so paid and received by the pound-keeper shall be reported by him in writing to the City Clerk on the last Friday of each month, which said report shall be presented to the Common Council at its next regular meeting.

Sec. 13. The word "dog" whenever used in this ordinance, shall include all dogs, male and female.

Sec. 14. Any person found guilty of violating any of the provisions of this ordinance shall upon conviction be punished by a fine not exceeding twenty dollars for each offence. Conviction for any violation of this ordinance shall not be a bar to prosecution for any other or further violation thereof, and a failure to comply with any of the provisions of this ordinance after such conviction shall constitute a new violation thereof and shall be punishable as herein provided.

Sec. 15. No license shall be required for any dog brought into the City of Plainfield for the purpose of being exhibited at a bench, kennel or dog show, provided such dog is not allowed to leave the building or enclosure where exhibited unless in the custody of an adult person and confined by a leash and does not remain within the City limits for a period exceeding fifteen days.

Sec. 16. An ordinance entitled "An Ordinance Concerning Dogs," approved July 6, 1887, and the various amendments thereof approved respectively June 1, 1891; May 4, 1892; January 3, 1895; and September 1, 1898; and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed.

Approved May 3, 1909. Amended by ordinance approved June 20, 1910.

An Ordinance to Guard Against Danger of Fire and Explosion in connection with the use of Illuminating Gas or Fuel Gas in Buildings.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That all pipes more than one and one-quarter inches in diameter used for the supplying of illuminating gas or fuel gas to buildings hereafter erected in the City of Plainfield shall have a properly installed gas cut-off at the curb line of the streets in which such pipes are or shall be connected with gas mains. In case any such building is supplied through two or more pipes, the aggregate capacity of which exceeds the capacity of a pipe one and one-quarter

inches in diameter, each of the pipes supplying such building shall have such cut-off installed as herein provided. Any person who, or corporation which, shall lay or cause to be laid any such pipe or pipes, without such cut-off or cut-offs at the curb line, shall on conviction be punished by a fine not exceeding one hundred dollars for each offence.

Sec. 2. That no person or corporation shall supply illuminating gas or fuel gas, or allow the same to be supplied to any building hereafter erected in the City of Plainfield through pipes more than one and one-quarter inches in diameter, or through two or more pipes the aggregate capacity of which exceeds that of a pipe one and one-quarter inches in diameter, without having a properly installed gas cut-off for each of such pipes at the curb line of the street in which such pipes are or shall be connected with gas mains, under a penalty not exceeding one hundred dollars fine for each offence.

Sec. 3. That all gas pipes now used or that may hereafter be used to supply illuminating gas or fuel gas from gas mains in streets to any school building, church building, Sunday school building, hotel building, factory building or any building containing a theatre, public assembly room, music hall or concert hall, whether such building be now erected or shall be erected hereafter, and whatever may be the size of such gas pipes, shall be furnished with a gas cut-off properly installed at the curb line of the streets adjacent to such buildings in which such gas pipes are or may hereafter be connected with gas mains.

Sec. 4. That on or after the first day of September in the year nineteen hundred and nine no person or corporation shall supply illuminating gas or fuel gas, or allow the same to be supplied to buildings specified in section 3 of this ordinance, whether such buildings be now erected or shall be erected hereafter in the City of Plainfield, and whatever may be the size of such gas pipes, unless gas cut-offs shall be first installed at the curb line as provided in said section 3 of this ordinance under a penalty not exceeding one hundred dollars for each offence.

Approved August 2, 1909.

An Ordinance Concerning the Assessment and Collection of Taxes in the City of Plainfield.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That all taxes shall be payable as soon as the tax duplicate shall be delivered to the Collector; that where any taxes shall not be paid on or before the twentieth day of December fol-

lowing their assessment, interest thereon from and after that date shall be added at ten per centum per annum; that the Commissioners of Appeal in cases of taxation* in said City shall meet on the Fourth Tuesday of November annually, and shall give at least eight days' notice of such meeting in writing set up at six or more of the most public places in said City, or advertised in the official newspapers of said City, and may adjourn from day to day until they have completed their work; that all city officers charged with any duty with respect to the assessment or collection of taxes shall promptly perform the duties severally devolving upon them in respect thereto, in strict conformity with the Act entitled "An Act for the assessment and collection of taxes," approved April 8th, 1903, and acts amendatory thereof and supplemental thereto, and other general statutes applicable to said City; and that all ordinances and parts of ordinances inconsistent herewith, are hereby repealed.

Approved October 24, 1905.

An Ordinance to License, Regulate and Prohibit Shows and Exhibitions.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That no person or corporation shall, for any price, gain, or reward, exhibit or cause to be exhibited in the City of Plainfield any traveling or other show, circus or menagerie, or give or have or cause to be given or had any theatrical or variety performance or play, concert or other entertainment, or have to make, or cause to be had or made, any exhibition of whatsoever nature, or maintain or conduct or cause to be maintained or conducted any theatre, opera house, music hall, or other place of public entertainment, without first obtaining a license therefor, to be granted by the Mayor, as herein prescribed; provided, however, that the provisions of this ordinance shall not apply to a concert or entertainment given for charitable or benevolent purposes.

Sec. 2. That no owner, occupant or other person or persons having the possession or care of any house, building or room or any lot of land within the City of Plainfield, shall suffer or permit any such traveling or other show, circus or menagerie, theatrical or variety performance or play, concert or other entertainment, or any exhibition of whatsoever nature such as are mentioned in the preceding section of this ordinance, to be exhibited, acted, shown forth or performed for any price, gain or reward, in or upon his, her or

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* See P. L. 1906, p. 210, County Board of Taxation takes the place of Commissioners of Appeal.

their said house, building or room or lot of land, unless the party or parties so causing such traveling or other show, circus or menagerie, theatrical or variety performance or play, concert or other entertainment, or any exhibition of whatsoever nature as aforesaid, shall first obtain such license in the manner herein prescribed.

Sec. 3. That the license fees to be charged for such licenses respectively shall be as follows, to wit:

For a license for a circus with or without a menagerie the sum of not exceeding Two Hundred Dollars for each day;

For a license for a concert the sum of not exceeding Ten Dollars for each concert;

For a license for a theatre, opera house, or music hall, the sum of One Hundred Dollars a year; and for a license for any other place or public entertainment, the sum of not exceeding Twenty-five Dollars a year; and each such license for a theatre, opera house, music hall, or other place of public entertainment, shall expire on the first day of January following the date of the granting of such license;

For any moving picture show or entertainment, the sum of not exceeding Ten Dollars for each day;

For any exhibition or entertainment for which the amount of the license fee is not herein specifically fixed, the fee to be charged for such license shall not exceed the sum of Twenty-five Dollars for each such exhibition or entertainment.

Sec. 4. That the Mayor shall have the authority to determine the amount of any license fee within the limits aforesaid, and to decide whether a license is required under the terms of the preceding section when there is doubt upon application, and also authority to grant or withhold a license. Upon the Mayor deciding to grant any license, and the payment of the license fee to the Treasurer of the City of Plainfield or the Chief of Police, and the production of his receipt therefor to the Mayor, there shall be given to the applicant a license which shall state the name of the person licensed and the purpose and length of time or number of exhibitions or entertainments for which the license is granted. The Mayor shall also have authority to revoke any such license upon proof to his satisfaction after reasonable notice to the person or corporation holding such license and reasonable opportunity for him or it to be heard, that such licensed person or corporation, or any person acting on his or its behalf has given or caused to be given any exhibition of any nature whatever of an immoral nature or tendency, or in violation of any law of the State or any ordinance of the City, and after such revocation such person or corporation shall be deemed to be not licensed and be and remain liable under this ordinance in the same manner as if such license had never been granted.

Sec. 5. No moving picture show shall be given at any time or in any place within the said City without the written permission first obtained by the Mayor, in which shall be set forth the time and place at which such moving picture show may be given.

Sec. 6. That any person or persons who shall violate any of the provisions of this ordinance shall on conviction be subject to a fine not exceeding One Hundred Dollars or imprisonment not exceeding sixty days or both such fine and imprisonment.

Sec. 7. That the ordinance entitled "An Ordinance relating to shows and exhibitions," approved July 9, 1869; the ordinance to amend said ordinance, approved November 10, 1884; the ordinance entitled "An Ordinance to license, regulate and prohibit shows and exhibitions," approved December 8, 1897; the ordinance entitled "A Supplement to an ordinance entitled 'An Ordinance to license, regulate and prohibit shows and exhibitions,' approved December 8, 1897," approved July 12, 1898; and all other ordinances and parts of ordinances which conflict with any of the provisions of this ordinance be and the same are hereby repealed.

Approved July 19, 1910.

An Ordinance to Authorize the Issuing of Municipal Bonds for the Purpose of Obtaining Money from the sale thereof for the Permanent Improvement of Streets and Highways of the City of Plainfield, Pursuant to Chapter 200 of the Laws of 1898, During the Year 1910.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. That for the purpose of obtaining money from the sale thereof for the permanent improvement of the streets and highways of said City during the calendar year 1910 with permanent and durable material of a kind to be determined in each instance by the Common Council before the work is commenced, to an amount not exceeding fifteen dollars per capita for each of the Inhabitants of said City according to the last official census, but not for more than the amount limited by law, the Common Council of said City do hereby, pursuant to the Act of the Legislature of said State entitled "An Act to authorize the improvement of streets and highways in cities of this State, and to provide for the payment of the expense of the same, and for the assessment of the benefits of such improvement upon the land and real estate benefitted thereby," and acts amendatory thereof and supplemental thereto, authorize the issuing of thirty coupon municipal bonds of the City of Plainfield of One Thousand Dollars ($1,000) each, and amounting

in all to Thirty Thousand Dollars ($30,000), which bonds shall be dated July 1st, 1910, and shall bear interest at the rate of five per centum (5 per cent.) per annum, payable semi-annually, and be payable three years from the date thereof, with the option to the City to redeem or pay off the said bonds, or any one or more of them, at any time after one year from the date thereof and before three years from date thereof, on giving personal notice to said holders of said bonds or thirty (30) days' notice by advertisement in the official newspapers of the City of the intention to make such redemption or payment, which bonds shall be signed by the Mayor and bear the corporate seal of the City and be attested by the City Clerk, and may severally or collectively when ordered by resolution of the Common Council be sold for an amount not less than par value; and there shall be raised by tax in each year hereafter such sum of money as may be necessary to pay the interest on all outstanding bonds and the principal of such bonds as may mature during that year, and the money derived from the assessments upon the property benefitted shall when collected be held as a fund toward the payment of said bonds.

Sec. 2. That before any improvement shall be authorized pursuant to the Act of the Legislature referred to in Section 1, it shall be necessary to enact an ordinance designating the street or streets or parts thereof to be improved, together with the kind of pavement proposed to improve them, and all work shall be given out upon contract to the lowest responsible bidder and only after bids therefor have been solicited and received, the Common Council to have the right to reject any and all of such bids.

Sec. 3. That streets of parts of streets to be improved with durable macadam pavement shall be so improved in accordance with the following specifications, that is to say, durable macadam pavement with bituminous binder, shall be laid to a depth running from six (6) inches in the center to four (4) inches at the side, as shown on plan entitled "Plan showing standard cross-sections of streets of the City of Plainfield, N. J., filed in the office of the City Clerk April 30, 1910," said macadam pavement to be in every respect equal to the macadam with bituminous binder on Union Street between Arlington Avenue and Stelle Avenue in said City. The ordinance specially designating said streets or parts of streets shall also designate in each instance the width to which said macadam shall be laid.

Sec. 4. That after said improvements shall have been completed, the Common Council shall, pursuant to the statute in such case made and provided, apply to the Court of Common Pleas of the County of Union for the appointment of Commissioners to estimate and assess benefits upon the owners of the lots or parcels

of land and real estate peculiarly benefitted by such improvements, in proportion, as near as may be, to an amount equal to the amount of benefits actually acquired by the lands and real estate bordering on said streets or portions thereof respectively, by reason of such improvements respectively; and in case the costs and expenses aforesaid shall exceed the amount of said benefits, the excess thereof shall be paid by the City at large and raised by general tax; no property or owner thereof to be in any case assessed beyond the amount of benefit actually derived from said improvements.

Approved June 7, 1910.

An Ordinance Concerning Street Railway Companies, Their Cars, Motors, Roadbed, Tracks, Wires and Appurtenances.

The Inhabitants of the City of Plainfield, by their Common Council, do enact as follows:

Section 1. It shall be the duty of all street railway companies operating one or more lines of street railway within the limits of the City of Plainfield to maintain their roadbed, tracks, wires and appurtenances occupying or being upon or over any portion of any street or public highway in the City of Plainfield, in good condition and repair, and to repair any defects which may be found to exist therein within ten days after such defects would by the exercise of reasonable care and inspection have become apparent. Any such company violating any of the provisions of this section shall on conviction be punished by a fine of twenty-five dollars for each offense, and every day any such defect shall continue after written complaint made to the City Judge under this section shall constitute a new offence.

Sec. 2. It shall be the duty of the Street Commissioner of said City to examine the tracks and overhead equipment of all street railway companies in any of the public streets of said city at least once in every three months, and to report forthwith to the Mayor any defects which may be found to exist therein. Upon receipt of any such report, it shall be the duty of the Mayor to give written notice to the company affected thereby, requiring it forthwith to repair such defect or defects, which notice may be served by the Mayor or Chief of Police or any regular police officer upon any officer or agent of said company, and a copy thereof shall on the same day be sent by registered mail, postage prepaid, to said company at its principal office in this State. Any such company refusing, failing or neglecting to comply with the requirements of any notice herein authorized, for a period of thirty days after the date of service and mailing thereof as aforesaid shall on conviction be liable to a fine

of twenty dollars for each and every day such defects shall continue after the expiration of said period.

Sec. 3. No car shall be used or operated upon any of the streets of said City as a street railway car, the wheels of which shall be flattened either in one or more places, so as to cause in the ordinary operation of the car either loud and unnecessary noise or unnecessary jar on account of such flattening, and such car or cars may be ordered off the tracks by the Mayor forthwith until the needed repairs shall be made.

Sec. 4. No car shall be used or operated upon any of the streets of said City as a street railway car by a motor or motors of such defective construction or in such defective condition as to produce loud and unnecessary noise or unnecessary jar in the ordinary operation of such car, and any car operated by such motor or motors may be ordered off the tracks by the Mayor forthwith until the defective condition of such motor or motors shall be remedied.

Sec. 5. Every order given by the Mayor under sections 3 or 4 of this ordinance shall be in writing directed to the company operating such car, and shall specify the number of the car and the character of the defects to be remedied. Said order may be served by the Mayor or Chief of Police or any regular policeman upon any officer or agent of said company, and a copy of said order shall on the same day be sent by registered mail, postage prepaid, addressed to said company at its principal office in this State.

Sec. 6. Any street railway company which shall violate any of the provisions of sections 3 or 4 of this ordinance, or refuse, fail or neglect to comply with the requirements of any order provided for by said sections of this ordinance shall on conviction be liable to a fine of fifty dollars for each offence, and each day's violation of any of the provisions of said sections of this ordinance or of any order given as directed in said sections of this ordinance shall constitute a new offence.

Approved Nov. 14, 1911.

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